

European Commission for Democracy through Law (Venice Commission) of the Council of Europe



European Commission
for Democracy through Law



Council of Europe, 2025

Venice Commission

ANNUAL REPORT OF ACTIVITIES 2024



The European Commission
for Democracy through Law
(Venice Commission)

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Annual report of activities 2024



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I. FOREWORD FROM THE PRESIDENT OF THE VENICE COMMISSION OF THE COUNCIL OF EUROPE



The year 2024 has once again demonstrated the important role of the Venice Commission in the European debate on the rule of law, which is inextricably linked to safeguarding democracy and protecting human rights. This annual report, which assesses the Commission's activities, highlights that this debate extends beyond European borders and that other states some of which are members of the Commission from different continents, also actively participate in it.

The number of Opinions issued by the Commission, the number of member states involved, and the origin of the requests for Opinions—since only the political authorities of the states and the political bodies of the Council of Europe may submit such requests—all serve as

indicators of a shared need for an objective analysis of constitutional and legislative texts, as well as of the reforms required to ensure their compliance with European standards and their effectiveness.

This challenge is significant, as highlighted by the Heads of State and Government at the Reykjavik Summit in 2023, who expressed concern over “autocratic tendencies and growing threats to human rights, democracy and the rule of law”.

In response to the inevitable resistance to necessary substantive or procedural reforms, as well as the genuine challenges they present, the Venice Commission has recently developed two key initiatives to better understand these obstacles and help overcome them. First, it systematically reviews and assesses the implementation of its Opinions and, of course, its recommendations by issuing “follow-up Opinions”. Second, it strengthens knowledge by organising or promoting meetings that bring together political and legal actors, as well as civil society, to address emerging topics that have proven particularly significant in light of recent developments.

The figures in this report reflect these developments while also highlighting the continuation - and often the expansion - of the Commission's traditional activities, demonstrating the strong engagement of its members.

The Venice Commission's secretariat is at the core of all these activities. The Committee of Ministers, through the voice of its member states, values the work of the small Strasbourg-based team of lawyers and assistants throughout the year. This team co-ordinates the work of individual members, organises numerous missions, supports the work of rapporteurs, and maintains essential contacts within the member states.

My regular and constructive exchanges with the Committee of Ministers illustrate the strong support that the Commission receives from the member states. The Parliamentary Assembly's support is equally evident through the fruitful co-operation reflected in requests for Opinions and monitoring activities, once again demonstrating the synergies that exist within the Organisation.

This annual report, once again for 2024, reflects our collective commitment to the effective implementation of shared principles and values.

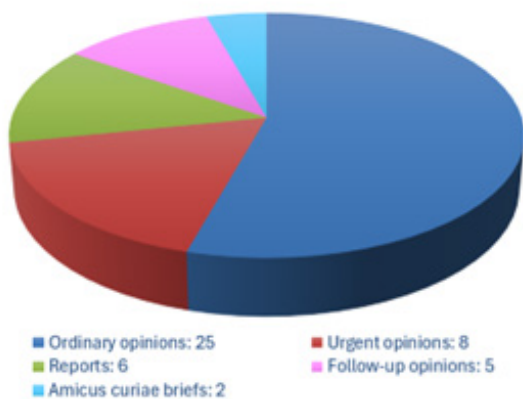
Claire Bazy Malaurie
President of the Venice Commission

II. HIGHLIGHTS

1. 2024 IN FIGURES: OUTPUT OF THE VENICE COMMISSION’S WORK

In 2024, the Commission received 45 Opinion requests. It adopted 37 Opinions – 25 ordinary ones, 5 follow-up Opinions, 8 urgent Opinions (3 being also follow-up ones) and 2 *amicus curiae* briefs. It postponed the preparation of 11 Opinions to 2025.

Adopted Opinions* and reports in 2024



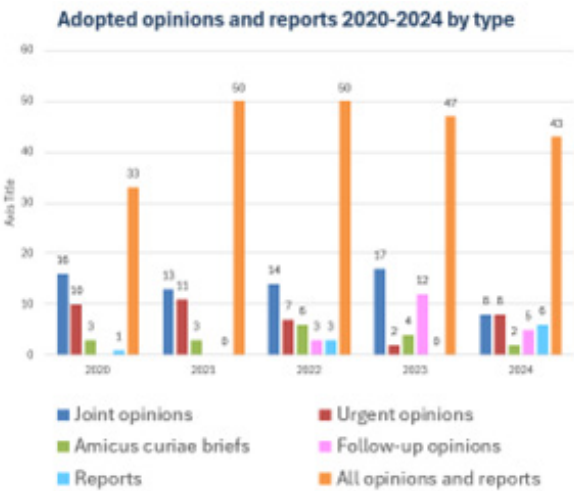
*3 Opinions were both urgent and follow-up. The total number of opinions adopted in 2024 is 37.

The number of Opinion requests is stable compared to the 2021, 2022 and 2023, and confirms that the increase compared to 2020 has become structural.

The Opinions concerned 15 countries: Albania, Armenia (4), Bosnia and Herzegovina (3), Bulgaria (2), Georgia (4), Haiti (2), Hungary, Kyrgyzstan (4), Lebanon, the Republic of Moldova, Montenegro (5), Poland (4), Serbia, Spain and Türkiye. Two *amicus curiae* briefs were requested by the European Court of Human Rights.

Six Opinions were prepared jointly with the Directorate General of Human Rights and the Rule of Law – DGI: (Armenia (2), Poland (2), Bulgaria (2) and two Opinions on Armenia with the Directorate General of Democracy – DGII.

The Opinion requesters were the national authorities (25: the Government – Minister of Justice (21), Speaker of Parliament (2), Presidency (1), Constitutional Court (1)); Council of Europe bodies (10: the Parliamentary Assembly of the Council of Europe (President (2) and Monitoring



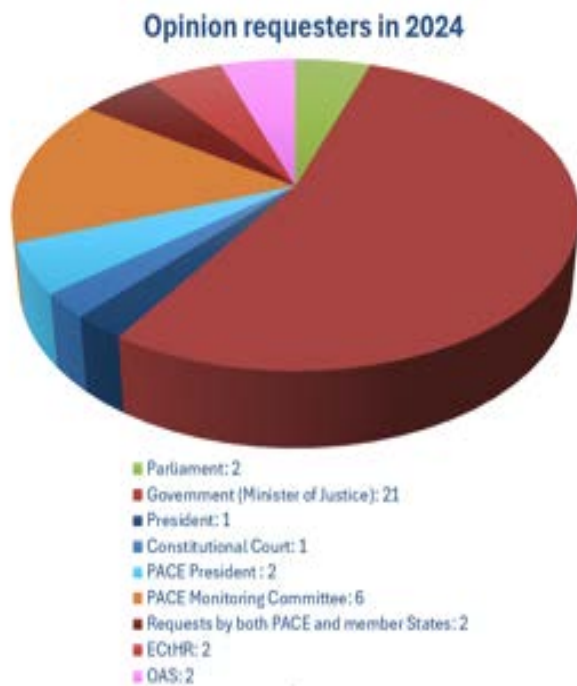
Committee (6)), the European Court of Human Rights (2)) and other international organisations (2 requests by the Organization of American States). The Opinions requested by the Parliamentary Assembly (PACE) concerned Georgia (4), Hungary, Poland (2) and Spain. Two Opinions were requested both by the Parliamentary Assembly and the country concerned (Poland, Spain).

The proportion of 2024 Opinions requested by the state compared to those requested by the Parliamentary Assembly was 3:1 (same as in 2023).

The Commission also adopted four general reports – two upon its own initiative (*“bicameralism”* and *“relations between parliament and the government confidence and responsibility”*), one requested in 2023 by the Parliamentary Assembly of the Council of Europe (*“A rule of law and human rights compliant regulation of spyware”*), one at the request of the Organization of American States (*“Election observers as human rights defenders”*) - and two interpretative declarations (*“Revised interpretative declaration on the Stability of electoral law”* and *“Interpretative declaration of the Code of Good Practice in electoral matters as concerns digital technologies and artificial intelligence”*). General reports are prepared by the Commission to analyse novel or complex issues in order to identify possible solutions; general reports, thus, support the Commission’s recommendations in country-specific Opinions.

In 2024, the Commission endorsed three compilations (on *Electoral Training*, on *Central electoral Management Bodies*, and on the *Principle of Legality*). The compilations concerning Judges and Courts were updated.

Eleven Opinion requests were postponed to 2025 in agreement with the requesting authorities. The postponement was either inevitable (the requests having been received in late December) or made



necessary by either pending electoral processes or the necessity for the Venice Commission's secretariat to focus, on the one hand, on the preparation of urgent pending general reports and, on the other hand, on Opinion-follow-up activities and work. One Opinion request was withdrawn.

Three reports are pending: the study on Migration and Asylum in electoral campaigns and the Checklist on the influence of money on democracy (requested by the Parliamentary Assembly) and a report on the status of the European Charter of Local Self-government in the domestic legal systems of Council of Europe member states (requested by the Congress of Local and Regional Authorities of the Council of Europe).

In 2024, the Commission, encouraged by the conclusions of the Reykjavik summit, launched the process of the update of its Rule of Law Checklist. It chose to proceed with a preliminary round of extensive consultations of the Checklist's stakeholders: national authorities, courts, constitutional courts, ombudsman institutions, civil society organisations, academia, international organisations. To this end, the Venice Commission secretariat organised exchanges of views, round tables, conferences and sought written input. The result of these consultations will be used to update the Checklist, which should be finalised before the end of 2025.

The Commission generally organises conferences related to its priority areas of work, based on the issues identified through Opinions that require further exchanges at the general level, often leading to the preparation of reports and studies. For example, the "Revised interpretative declaration on the Stability of

electoral law" which the Commission adopted in 2024, was prepared, notably through the conference on the Stability of Electoral Law which the Commission had co-organised in Barcelona in 2023.

The Report on Bicameralism, adopted in 2024, followed the International Seminar on "*Bicameralism: phenomenology, evolution, and current challenges of a 'contested institution'*", co-organised in Madrid in 2022. A special e-Bulletin on the "*Forms and limits of judicial deference: the case of the constitutional courts*" was issued in May 2024 in conjunction with the Conference of European Constitutional Courts' (CECC) meeting held in Chisinau, the Republic of Moldova.

In 2024, the Commission co-organised eight international conferences in eight countries: "*Elements and dynamics of the European legal standard*", 18-19 April, Gdansk, Poland; 19th Congress of the Conference of European Constitutional Courts (CECC), 22-23 May, Chisinau, the Republic of Moldova; "*The role of the Ombudsman as a guardian of rights*", 12-13 September, Cassino, Italy; "*Protecting human rights in the digital age and in social media*", 26 September, Paphos, Cyprus; "*International Conventions in the Internal Legal Order: place and reception*", 4-5 October, Rabat, Morocco; "*Aspects of Constitutionalism in European small-sized States*", 14 October, San Marino; "*Respect for the Decisions of Constitutional Courts*", 14-15 November, Yerevan, Armenia; "*Private Powers and the Rule of Law*", 28-29 November, Madrid, Spain.

Two of these conferences were specifically organised to brainstorm and reflect on issues relevant to the update of the Commission's Rule of Law Checklist (*Private powers and the rule of law, Respect for constitutional courts' judgments*).

The Commission's seminars focus on specific issues raised by its partner institutions as requiring specific training. In 2024, the Commission organised three seminars: training seminar on the "*Evaluation of laws by the parliamentary institution*", 5-6 March, Rabat, Morocco; training workshop on the "*Best interests of the child*", 23-24 April, Rabat, Morocco; seminar on the "*Exception of unconstitutionality of laws*", 12-13 June, Salé, Morocco.

In 2024, the Commission participated in its capacity as legal advisor to the Parliamentary Assembly in seven election observation missions in four countries (North Macedonia, Bulgaria, the Republic of Moldova, Georgia). These missions concerned the Presidential elections (first round) on 24 April and

the Parliamentary and presidential (second round) elections on 8 May in North Macedonia; the early parliamentary elections on 9 June and the early parliamentary elections on 27 October in Bulgaria; the Presidential election and constitutional referendum on 20 October and the second round of Presidential election on 3 November in the Republic of Moldova; the parliamentary elections of 26 October in Georgia. A Venice Commission's delegation also participated in the Foreign Visitors Program organised by the National Electoral Institute (INE) and the Electoral Tribunal of the Federal Judiciary (TEPJF) of Mexico from 30 May to 2 June in the framework of the 2024 federal electoral process of Mexico.

In 2024, six activities linked with upcoming 2024 or 2025 elections or past elections and were designed to prepare the election or identify weaknesses of the past electoral process with a view to improve the system (the so-called pre- and post-electoral activities). They were organised in five countries (Mexico, North Macedonia, Bosnia and Herzegovina, the Republic of Moldova, Albania): the Electoral Justice Forum for Foreign Visitors organised by the Electoral Tribunal of the Federal Judiciary (TEPJF) on 2 June, Mexico; a pre-electoral workshop on 4-5 September in Sarajevo, Bosnia and Herzegovina; a webinar to facilitate the preparation of the upcoming Presidential Elections and Referendum on 9 September (online) in the Republic of Moldova; a post-electoral workshop on 5 November in Skopje, North Macedonia; a pre-electoral conference: "Depoliticization of the electoral administration : the Need for Professional Electoral Workers" on 10 December in Tirana, Albania and a meeting of Electoral Judges 2024 on 25-26 November in Mexico City.

Three bulletins on Constitutional Case-Law were issued in English and French in 2024: in April (2023/2), June (2023/3) and October (2024/1) with a special e-Bulletin on the "Forms and limits of judicial deference: the case of the constitutional courts" (English, French) issued in May 2024 in conjunction with the Conference of European Constitutional Courts (CECC) meeting held in Chisinau, the Republic of Moldova.

In 2024, 22 Venice Forum requests were received from 10 countries: Albania (5), Azerbaijan, Brazil (2), Bulgaria (2), Czech Republic (3), Kazakhstan (5), Kyrgyzstan, Latvia, Slovenia, Slovakia and were dealt with in the forum.

2. TOPICS OF THE VENICE COMMISSION'S OPINIONS

In 2024, the Opinion requests relating to judicial reforms continued to dominate the Commission's agenda. One major topic was the "counter-reforms" of the High Judicial Council and of the Constitutional Tribunal of Poland and their consequences on the status of judges and prosecutors, and the fate of the decisions rendered in the past eight years. These reforms are known to be part of a process of "restoration of the rule of law" and are as complex as they are divisive. The Commission developed its position on the need to respect the rule of law even in an attempt to mend previous antidemocratic reforms and the need to reconcile the different tenets of the rule of law without losing sight of the overall result. Several Opinions concerned the composition of Judicial and/or Prosecutorial Councils (Türkiye, Montenegro, Bosnia and Herzegovina), the administrative judiciary (Lebanon) and four Opinions concerned the prosecution service (Montenegro, Serbia, Poland). The Commission also addressed reforms concerning Judicial Codes (Armenia) and Codes of Ethics of judges and prosecutors (Bulgaria), and the Judicial academy (Serbia). Procedural matters of criminal law (bail, videoconferencing of proceedings, collection of evidence, seizure and confiscation of material benefit derived from crime) were the object of several Opinions (Kyrgyzstan, Armenia, Montenegro).

2024 was a year of dense and important elections and witnessed new and somehow unprecedented (at least in scale) challenges. The Venice Commission adopted two interpretative declarations related to two major challenges: the stability of electoral law – which continues to be an issue in several Venice Commission's member states – and the use of digital technologies and artificial intelligence in electoral processes – which has amplified the threat of harmful interference and has highlighted the need to adapt the legislative and regulatory frameworks. The Commission further adopted a report on electoral observers as human rights defenders – in response to a request by OAS which stressed the new threats – including at the level of personal security - to which observers are exposed. The Commission considered that election observers benefit from both the specific international protection and guarantees that pertain to election observation, which is a public function and, as such, also bears specific duties and obligations,

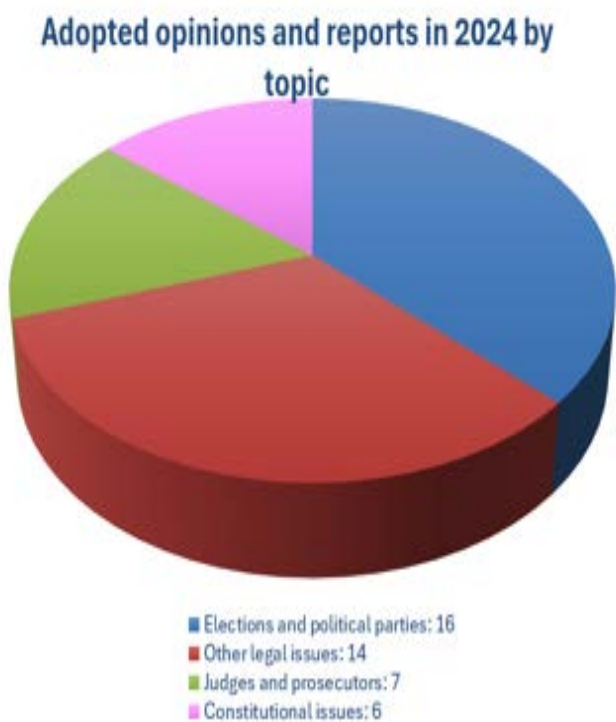
and of those that pertain to human rights defenders. The Commission adopted one *amicus curiae* brief requested by the European Court of Human Rights which was related to the Italian mixed electoral system.

In country-specific Opinions, the Commission assessed electoral reforms in Georgia (including one on abolishing gender quotas) and in the Republic of Moldova (introducing a trail of postal vote). It also examined the Hungarian law on the protection of national sovereignty, relating to undue foreign funding of political parties and electoral campaigns and processes. In respect of Haiti, the Commission examined possible avenues to overcome the collapse of the state, through elections designed to give legitimacy to new institutions. The dilemma of having elections before a constitutional reform or vice-versa has been solved by the Haitian Transitional Presidential Council in favour of organising a constitutional referendum prior to presidential and parliamentary elections. In these two Opinions, the Commission accepted that on account of the constitutional meltdown, it was not possible to amend the constitution in a constitutional manner.

All Opinions and reports on electoral matters, prior to submission to the Commission for adoption at plenary sessions, were examined and approved by the Council for Democratic Elections.

Five Opinions concerned constitutional justice: one related to the implementation of constitutional court decisions and was requested by the Speaker of parliament (Albania), one to the reform of the constitutional tribunal following international judgments declaring it illegitimately constituted, hence itself a source of breaches of Article 6 ECHR (Poland); one *amicus curiae* brief addressed the standards on the disciplinary rules for presidents and judges of constitutional courts, one related to the method of electing judges of the constitutional court (Montenegro) and one the functioning of the constitutional court (Bosnia and Herzegovina).

Other Opinions dealt with legislation on mass media (Armenia) and freedom of expression (penalties of insult and slander (Kyrgyzstan), protection of family values (Georgia)). Two Opinions concerned legislation on the so-called foreign agents (Georgia, Kyrgyzstan). One Opinion related to national minorities (Armenia), and one concerned discrimination for the protection of family values (Gorgia). One Opinion concerned a novel matter: the compatibility of amnesties with the rule of law (Spain). Two Opinions concerned reforms carried out at the level of the constitution (Haiti, Poland).



3. IMPACT OF THE COMMISSION'S OPINIONS AND REPORTS

Since 2022, follow-up has become a specific focus of the action of the Venice Commission secretariat and of the Commission's members. Dialogue with a view to facilitating the implementation of the recommendations is actively pursued, through bilateral exchanges, meetings, missions, round tables with the authorities, civil society and other stakeholders, in Strasbourg or in the country concerned, but also through presentations of the Opinions at hearings of the Parliamentary Assembly of the Council of Europe (PACE) and of the European Parliament, at meetings with the European Commission, at international conferences and similar. Co-ordination with other services of the Council of Europe is ensured. Communication with the press – international and national – is maintained. These activities are referred to as "follow-up activities".

Several and diverse follow-up activities were organised in 2024. Venice Commission's members took part in the hearings organised by the Parliamentary Assembly of the Council of Europe to follow-up on the situation and Opinions adopted in respect of Armenia, Belgium, Spain, Georgia, Hungary, Ukraine, Russian Federation. The secretariat also organised meetings with the authorities and took part in exchanges of views in

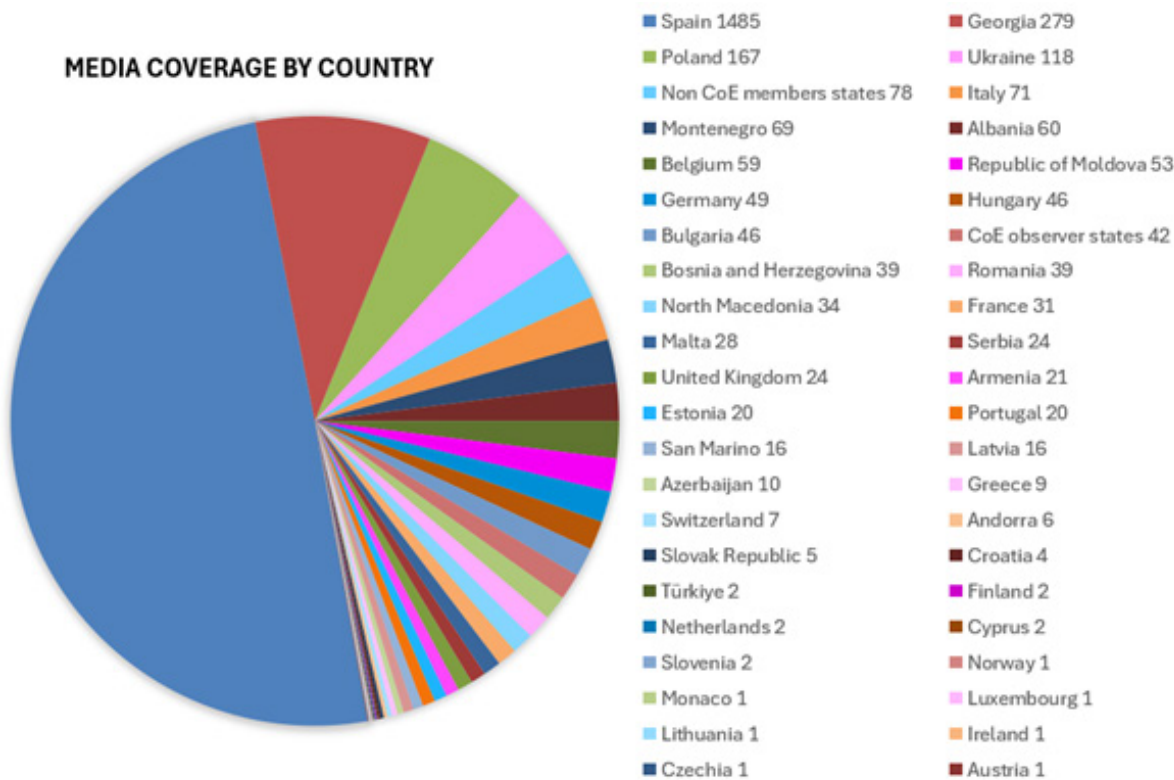
respect of Armenia, Bosnia and Herzegovina, Georgia, Germany, Hungary, Kyrgyzstan, Lebanon, the Republic of Moldova, Montenegro, Ukraine to discuss the impact of the Venice Commission's recommendations on the ongoing legislative process.

The secretariat was informed that the Commission's recommendations, as formulated in 20 Opinions, were reflected in national legislation; this was reported on at the March, June and October plenary sessions in 2024 (Bosnia and Herzegovina (4), Bulgaria, Georgia (3), Germany, Norway, the Republic of Moldova (3), Montenegro, Spain, Poland, Ukraine (4)). In addition, five follow-up Opinions were prepared at the request of the national authorities (Bosnia and Herzegovina, Montenegro (3)) or PACE (Georgia), on legislation which had been revised on the basis of the Commission's previous recommendations.

The Commission's Opinions were the object of several articles by the academia (for example, Poland), especially in the countries directly concerned by the Opinions.

The Commission's Opinions were also broadly reflected in four judgments of the European Court of Human Rights (Cases of *Verein Klimaseniorinnen Schweiz and others v. Switzerland*; *Ukraine v. Russia*; *Grande Oriente d'Italia v. Italy*; *Bakradze v. Georgia*).

They were also quoted and commented in reports and debates of other international bodies (EU, OAS). For example, the European Commission's 2024 Rule of Law Report contains references to 50 Opinions of



the Venice Commission in 19 country chapters, and the European Commission’s 2024 Communication on EU enlargement policy contains references to more than 80 Opinions and Reports of the Venice Commission.

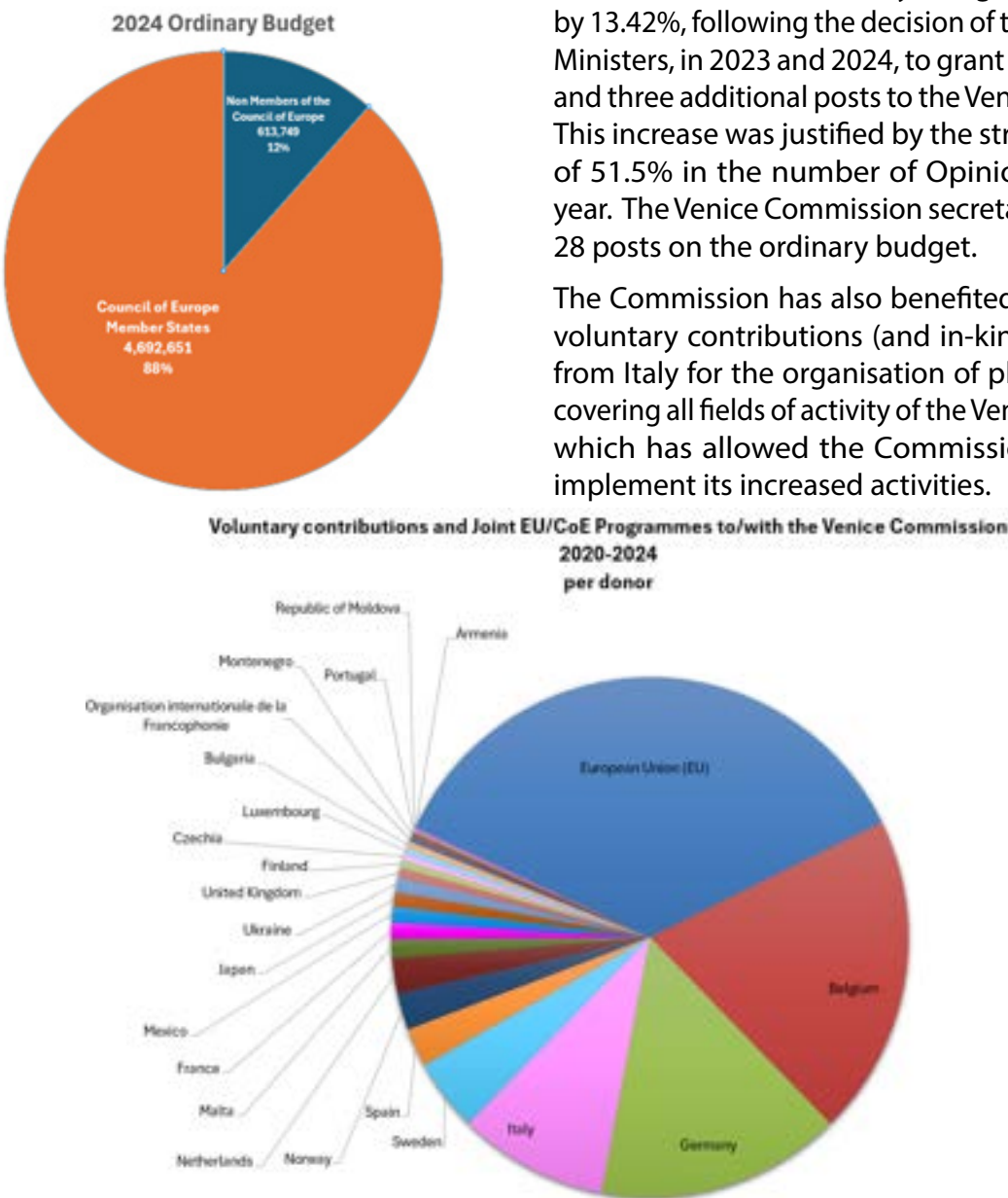
Practically all the Opinions adopted in 2024 were the object of media coverage both nationally and internationally. The Venice Commission was referred to in 2914 articles in 11 member states as well as 78 articles by non-CoE member states (including, for example, Haiti) in the course of 2024 (this figure only covers press in English/French and in the other local languages which are monitored by the Directorate of Communication).

4. BUDGET AND STAFF

The Commission’s ordinary budget is made up by the contributions of its 46 Council of Europe member states and its 15 non-Council of Europe member states (according to Article 6.a of the Statute of the Venice Commission the rate of contribution of the latter is one third of its contribution as calculated in accordance with the rules for Council of Europe member states, but no higher than one third of the contribution by the major contributors). The ordinary budget amounted to 5 306 400 euros in 2024.

Between 2022 and 2025, the Venice Commission’s real ordinary budget was increased by 13.42%, following the decision of the Committee of Ministers, in 2023 and 2024, to grant respectively two and three additional posts to the Venice Commission. This increase was justified by the structural increase of 51.5% in the number of Opinion requests per year. The Venice Commission secretariat now counts 28 posts on the ordinary budget.

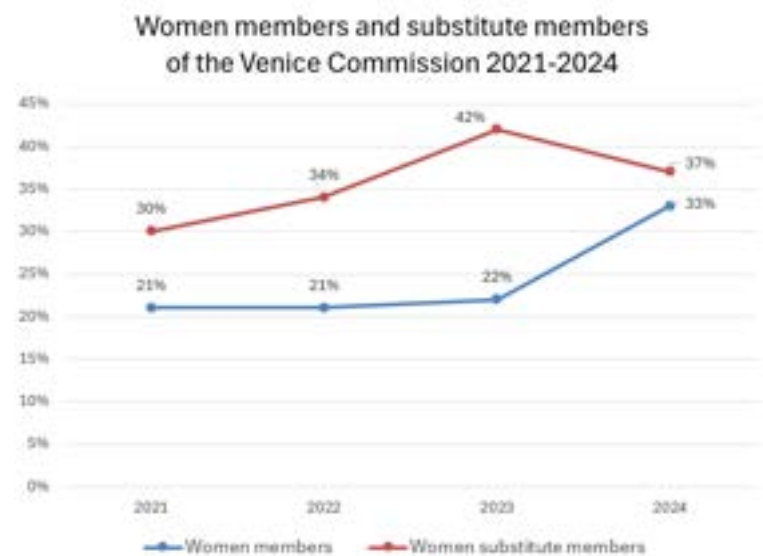
The Commission has also benefited from generous voluntary contributions (and in-kind contributions from Italy for the organisation of plenary sessions), covering all fields of activity of the Venice Commission, which has allowed the Commission to fund and implement its increased activities.



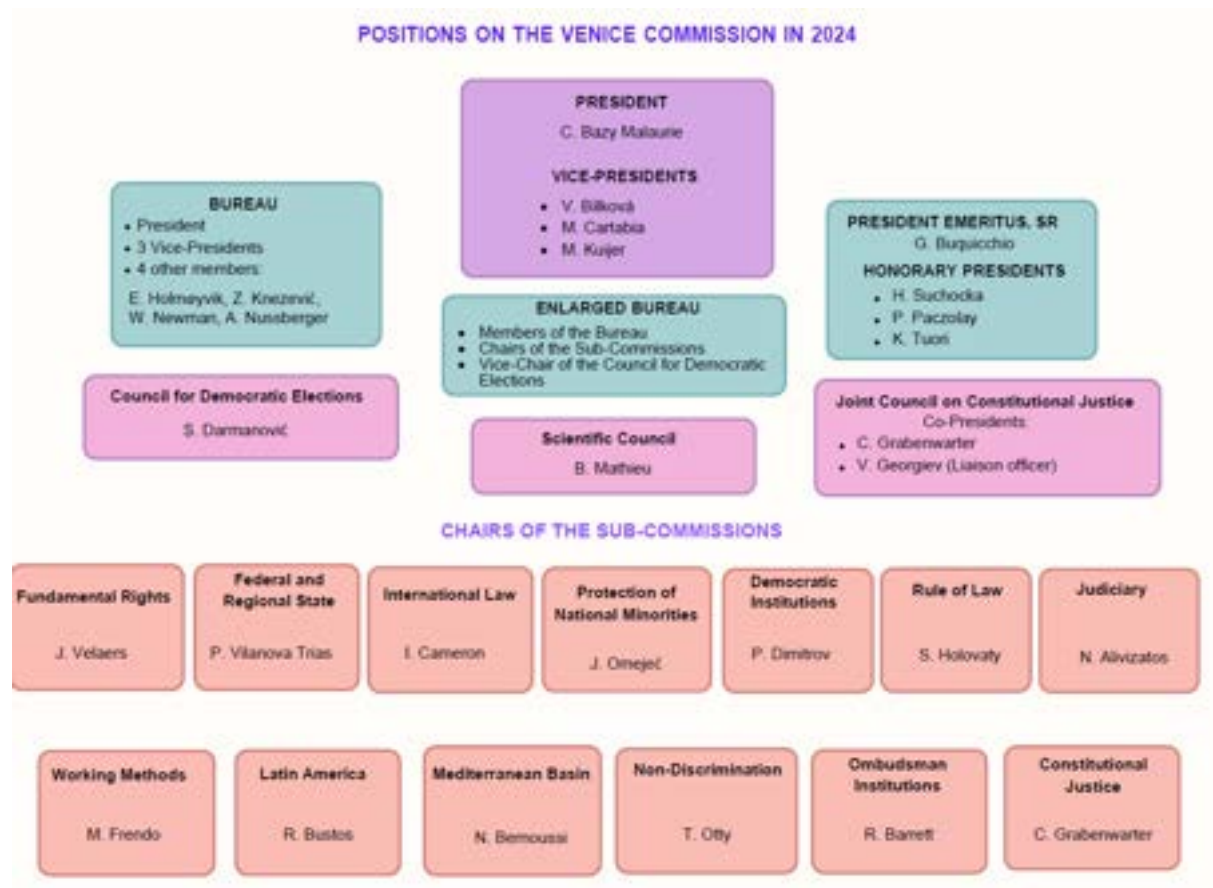
In addition, the Venice Commission has benefited from regional Joint EU/CoE Programmes and voluntary contributions earmarked to country specific projects for Ukraine under the Action Plan. These have allowed to fund many Opinions over recent years.

5. POSITIONS ON THE VENICE COMMISSION

In 2024, the number of women members increased, reaching 33%, while the percentage of female substitute women decreased and is now 37%.



In December 2023, elections for all the Commission’s positions were held, for a mandate of two years (the next elections will be held in December 2025).



VENICE COMMISSION OF THE COUNCIL OF EUROPE

KEY FACTS



ESTABLISHMENT


10 MAY 1990

by **18** 
Council of Europe member States

TO DATE

61 MEMBER STATES  INCLUDING **15 NON** Council of Europe MEMBERS  **4** observer countries

+ **2** beneficiaries with special cooperation authorisation

   
CLOSE COOPERATION WITH
EU, OSCE/ODIHR and OAS
3 INTERNATIONAL ORGANISATIONS
PARTICIPATING IN THE WORK OF THE COMMISSION

ADOPTION OF *some*



1193

COUNTRY-SPECIFIC OPINIONS + GENERAL REPORTS

ORGANISATION *of over*



121

INTERNATIONAL CONFERENCES

IMPLEMENTATION *of over*



19

COOPERATION PROGRAMMES IN
CENTRAL ASIA, LATIN AMERICA AND SOUTH
MEDITERRANEAN REGIONS

WORLD CONFERENCE ON CONSTITUTIONAL JUSTICE*



*SINCE 2009

COURTS

122
MEMBERS

NUMBER OF JUDGMENTS
IN CODICES DATABASE
OVER

12,500

EUROPEAN COURT OF HUMAN RIGHTS

references to Venice Commission
in over

346 JUDGMENTS
AND DECISIONS*

* Since 2001



requests for

9 amicus curiae
BRIEFS**

**Since 2005

IN 2023

The Venice
Commission **adopted**

43

DOCUMENTS

17 countries

37 OPINIONS on

- constitutional issues (4)
- judges and prosecutors (13)
- elections and political parties (7)
- other legal issues (13)

6 TEXTS of general nature

- according to the urgent procedure (2)
- follow up opinions (5)
- Amicus Curiae briefs (2)

EVENTS

It (co)organised

11 CONFERENCES



LEGAL ADVICE

to

7 ELECTION OBSERVATION
MISSIONS OF THE
PARLIAMENTARY ASSEMBLY



CONSTITUTIONAL CASE LAW

total number of
published

136 BULLETINS

on
Constitutional
Case-Law

responded to

22 REQUESTS FOR
COMPARATIVE
INFORMATION

by 10 constitutional
courts
on the **VENICE FORUM**



NUMBER OF JUDGMENTS
ADDED TO CODICES DATABASE

343

WWW.CODICES.COE.INT

III. THE VENICE COMMISSION IN A NUTSHELL

The Venice Commission is an enlarged agreement with 61 member states: the 46 members of the Council of Europe, and 15 other members from Asia, the Americas, Africa. The core mission of the Venice Commission is to provide, upon request, Opinions containing legal assessments of constitutions and legislation and relevant recommendations aiming at aligning such texts to international standards and comparative good practices. In recent times, with the aim of maximising the impact of its work, the Commission has also focused on the follow-up, which is given to its Opinions, through country-specific missions, activities, participation in debates and conferences as well as media exchanges.

The Commission’s assessments, on the one hand, are based on international standards, and, on the other hand, contribute to identifying and developing them. In parallel to providing Opinions, the mission of the Commission, therefore, includes the organisation of conferences and seminars and the preparation of general reports on specific topics. As follow-up to the Reykjavik declaration, the Venice Commission has also launched the update of the Rule of Law Checklist through an inclusive process of consultation of the stakeholders. The Commission’s extra-European outreach represents an undoubted added value, to the extent that it enriches its reflection and experience on the standards of the Council of Europe, while it “exports” them to other continents, thus contributing to democratic security.



IV. OPINIONS AND *AMICUS CURIAE* BRIEFS BY COUNTRY

In 2024, the Venice Commission adopted 37 Opinions and *amicus curiae* briefs¹ concerning 17 states. In addition to the work on six general reports, twelve Opinions requested in 2024 were postponed to 2025.

The Commission continued to provide legal advice to states in Europe and beyond helping them bring their legal and institutional structures into line with European standards in the fields of democracy, human rights and the rule of law. It also continued to focus on the core issues and on its previous outstanding recommendations through “Follow-up Opinions” which examine revised draft constitutions and laws or subsequent, additional sets of amendments in a global manner, in the light of the Commission’s recommendations on previous versions of such draft texts or of previous reforms.

¹ Five Opinions in respect of Georgia [CDL-AD\(2024\)020](#), [CDL-AD\(2024\)021](#), [CDL-AD\(2024\)023](#), Albania [CDL-AD\(2024\)040](#) and Armenia [CDL-AD\(2024\)030](#) were prepared in the framework of the project “Action of the Venice Commission to support rule of law-compliant and human rights-respectful democratic institutions 2024-2028” with voluntary contributions provided by member states (The voluntary contributions were received between 2019 and 2024 from Belgium, Bulgaria, Czech Republic, Germany, Japan, Italy, Malta, Montenegro, Netherlands, Norway, Portugal, the Republic of Moldova, Spain and Sweden).

In 2024, the Venice Commission prepared and adopted four Opinions under the Quick Response Mechanism (QRM), in the framework of the Partnership for Good Governance (PGGI and PGGII): Armenia [CDL-AD\(2024\)019](#), [CDL-AD\(2024\)028](#), [CDL-AD\(2024\)031](#); and the Republic of Moldova [CDL-AD\(2024\)022](#).

In 2024, the Venice Commission has prepared and adopted nine Opinions under the Expertise Co-ordination Mechanism (ECM), in the framework of the Horizontal Facility for the Western Balkans and Türkiye (HFIII): Bosnia and Herzegovina [CDL-AD\(2024\)002](#), [CDL-AD\(2024\)009](#) and [CDL-AD\(2024\)015](#); Montenegro [CDL-AD\(2024\)011](#), [CDL-AD\(2024\)012](#), [CDL-AD\(2024\)013](#), [CDL-AD\(2024\)014](#), [CDL-AD\(2024\)024](#); and Serbia [CDL-AD\(2024\)036](#).

Two Opinions were adopted in respect of Kyrgyzstan [CDL-AD\(2024\)025](#) and [CDL-AD\(2024\)026](#) in the framework of the project “Promote efficient functioning of state institutions and public administration”, which is part of the Joint European Union and Council of Europe Central Asia Rule of Law Programme (2020-2024).

Two Opinions were adopted in respect of Kyrgyzstan [CDL-AD\(2024\)032](#) and [CDL-AD\(2024\)033](#) and two Opinions in respect of Haiti [CDL-AD\(2024\)017](#), [CDL-AD\(2024\)042](#) in the framework of the Joint EU/CoE project “Support to democratic reforms, human right mechanisms and rule of law principles in Latin America, Central Asia and Mongolia” (2024-2026).

One *Amicus Curiae* brief was prepared in respect of Ukraine in the framework of the Council of Europe Action Plan for Ukraine “Resilience, Recovery and Reconstruction” (2023-2026): [CDL-AD\(2024\)038](#).

One Opinion in respect of Lebanon [CDL-AD\(2024\)006](#) was adopted in the framework of the Joint European Union/Council of Europe South Programme V “Protecting human rights, the rule of law and democracy through shared standards in the Southern Mediterranean” (2022-2025).

In 2024 the Commission adopted five Follow-up Opinions, concerning three states. The Follow-up Opinions increase and render more visible the impact of the Commission’s recommendations to the states concerned.

This chapter provides summaries of the key findings of country-by-country Opinions and *amicus curiae* briefs adopted by the Venice Commission in 2024.



ALBANIA

Opinion on the implementation by Parliament of Constitutional Court decisions

In this Opinion [CDL-AD\(2024\)040](#), requested by the Speaker of the Parliament of Albania, the Commission insisted on the duty of the state institutions, including Parliament, to comply with the Constitution and the decisions of the Constitutional Court as a key element of the rule of law. Such compliance should not be made conditional on the vote of a parliamentary majority. The Constitution may exclude some matters from parliamentary decision, but if the Constitution proclaims the power of parliament to decide (i.e. to vote) on a certain matter, the content of such vote must be freely determined by each MP alone and cannot be dictated. Second, the Commission addressed international standards on incompatibility as well as state practice in the field, including the role of legislative and judiciary bodies. The Commission defined “incompatibility” as a situation that prevents MPs from fulfilling their mandate due to conflicts with another position, public or private. Normally, persons found to have two functions which are incompatible with each other should choose one of them. If they do not, the usual consequence is that they lose their mandate. International standards impose few incompatibilities, such as between being an MP and a judge. In most countries, legislative bodies rarely have the final say in determining an incompatibility, but an appeal to an ordinary or constitutional court is possible. To the question on whether a constitutional court can create new norms, the Opinion noted that the creation of new constitutional norms is reserved for the legislature, while the constitutional court is tasked with the authoritative interpretation of the existing norms.

ARMENIA

Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity (DGII) of the Council of Europe on the draft law on national minorities

In this Opinion [CDL-AD\(2024\)019](#), requested by the Minister of Justice of Armenia, the Venice Commission and DGII concluded that although the draft law was a welcome legislative initiative it needed to be submitted further to public consultations. While recognising that the Armenian authorities had made steps in the right direction, further harmonisation between the draft law and other legal acts would be required. Noting that the draft law contained certain important limitations and there was uncertainty as to its scope, the Venice Commission and DGII recommended to address these shortcomings, with a view to making the draft more easily operational and improving its quality. The authorities should reconsider the requirement of “historical formation in the Republic of Armenia” as part of the definition of national minorities and establish a mechanism allowing for future recognition of other groups which want to apply for the status of a national minority. The threshold foreseen should be based on an impact assessment taking the minorities’ population repartition into account. Other recommendations related notably to the right to education for children belonging to national minorities, the nomination and selection of members of the Council for National Minorities and its mandate.

Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Criminal Code and the Criminal Procedure Code concerning the collection of evidence without consent in criminal investigations.



Joint delegation of the Venice Commission and DGII visiting Armenia in the framework of the preparation of the Opinion on the Draft Law on National Minorities [CDL-AD\(2024\)019](#)
6 and 7 May, Yerevan

Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Criminal Code and the Criminal Procedure Code concerning the collection of evidence without consent in criminal investigations

In this Opinion [CDL-AD\(2024\)028](#), requested by the Minister of Justice of Armenia, the Venice Commission and DGI welcomed the authorities' initiative to improve the recently adopted Criminal Code and Criminal Procedure Code. Given the complex matters that the draft amendments aimed to regulate, the Venice Commission and DGI made recommendations to improve the draft amendments and also to ensure their implementation in accordance with human rights standards. In particular, the Commission and DGI recommended to specify in the law the categories of samples depending on the degrees of interference with human rights, specify the circumstances of use of force as well as other means to be used before the compulsory investigative actions are processed. Due to the absence of domestic practice and the case law on the matter, the Venice Commission and DGI recommended to provide specific guidelines and training for the investigators and judges on international standards on the use of force, to develop protocols for the experts regarding each type of samples, to provide the possibility of *ex post* judicial control in situations of urgent necessity, to ensure access to a lawyer save for exceptional circumstances to be provided by law. Finally, the Opinion highlighted the importance to ensure that the use of physical force and the imposition of criminal liability are not cumulative but alternative measures and to prevent secondary victimisation. The authorities were invited to make full use of the Council of Europe co-operation programmes in order to implement the recommendations of the Opinion.

Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity (DGII) on the draft laws amending and supplementing the "Law on Mass Media" and the Civil Code

The Opinion [CDL-AD\(2024\)030](#), requested by the Minister of Justice of Armenia, evaluated the draft laws amending and supplementing the "Law on Mass Media" and the Civil Code of Armenia. The Commission and DGII welcomed the Armenian authorities'

commitment to addressing legislative gaps and enhancing media freedom and regulation in line with international standards. It also acknowledged the authorities' initiative to promote media self-regulation. However, the Commission and DGII recommended that the primary responsibility for establishing media self-regulation bodies, including the Media Council, be entrusted to media organisations themselves. It emphasised the importance of broader participation from representatives of digital media and ensuring the transparency and self-regulation of foreign media actors. The Commission and DGII noted that while some new definitions introduced in the draft law align with international standards, others—such as "media", "journalist", "implementer of media activities", and "subject of public awareness"—require further clarification. Additionally, it recommended that future legislative acts, the statutes (by-laws) of the Media Council, and the model standards for self-regulatory bodies, which are yet to be drafted, fully comply with international standards. The Commission and DGII also highlighted the need to allocate adequate financial resources to ensure the effective functioning of media self-regulation mechanisms.



Meeting with the parliamentary majority in the context of the preparation of the joint Opinion on the draft laws on Mass Media
[CDL-AD\(2024\)030](#)
24 September, Yerevan

Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on the draft amendments to the Judicial Code of Armenia (regarding judicial evaluations)

In this Opinion [CDL-AD\(2024\)031](#), requested by the Minister of Justice of Armenia, the Venice Commission and the DGI assessed the draft amendments to the Judicial Code of Armenia regarding evaluation of judges. The Opinion praised the authorities' efforts to improve the current system of evaluation which suffers from excessive workload and ongoing reports of judicial cronyism and self-protection. However, the proposed measures, notably the significant increase



Exchange of views with the representatives of the Ministry of Justice of Armenia in the framework of the preparation of the Joint Opinion on Mass Media
CDL-AD(2024)030
September, Yerevan

of lay members in the evaluation body and a higher frequency of evaluations, may endanger the judicial independence. In addition, while several evaluation panels may operate within the evaluation body, the evaluation decisions should be approved by the full composition of the body. The duration of the evaluation body's mandate should extend beyond a single evaluation cycle, favouring the existing four-year term. The frequency of regular evaluations should be extended to a period of more than two years. The decisions of the evaluation body should be subject to external appeal review, preferably before a court.

BOSNIA AND HERZEGOVINA

Opinion on certain questions relating to the functioning of the Constitutional Court of Bosnia and Herzegovina

In this Opinion [CDL-AD\(2024\)002](#), requested by the President of the Constitutional Court of Bosnia and Herzegovina, the Venice Commission expressed its grave concern about the inability of the Constitutional Court of Bosnia and Herzegovina to function at its full capacity, due to the failure of the authorities of the Federation of Bosnia and Herzegovina and the refusal of the authorities of Republika Srpska to appoint judges to the Constitutional Court. In response to eight questions posed by the President of the Constitutional Court of Bosnia and Herzegovina, the Opinion outlined that the appointment of *ad-hoc* judges would not be an option for the Constitutional Court of Bosnia and Herzegovina. However, in the absence of a law on the Constitutional Court in Bosnia and Herzegovina, the Rules of the Court could envisage that

1. judges who have reached retirement age of 70 years can continue in office until a successor has been appointed,
2. cases normally to be decided by the Grand Chamber of the Court be transferred to the Plenary, whilst increasing the frequency of Plenary sessions and

3. the majority of votes required to adopt decisions be lowered, in full respect of the attendance quorum stipulated by the Constitution.

The Opinion, however, recognised that, as the crisis of the constitutional court is of a political nature, legal measures could only provide limited solutions and finding a political solution continued to be of critical importance, given the backlog of more than 7 000 cases.

Interim Follow-up Opinion to previous Opinions on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina

This Interim Follow-up Opinion [CDL-AD\(2024\)009](#), requested by the Minister of Justice of Bosnia and Herzegovina, assessed the draft law on the High Judicial and Prosecutorial Council, keeping into account all previous Opinions on the matter.

On a general note, the Venice Commission welcomed the draft law, but it recommended adopting a strategic approach to the reform of the judicial sector, ensuring a proper sequencing of the reforms, carrying through an inclusive consultation process, providing the HJPC with a constitutional status and maintaining all legal provisions that serve the preservation of the independence of the Council and its Secretariat. The Commission also emphasised that the ethnic approach is to be phased out and the judiciary in general, shall be generally representative of the peoples of Bosnia and Herzegovina. Following the Opinion, the national authorities reworked the text with the aim of addressing the Venice Commission's recommendations and opened a public consultation process. The new draft law was submitted to the Commission in November 2024 for a Follow-up Opinion to be adopted in March 2025.



Delegation of the Venice Commission meeting with the national authorities of Bosnia and Herzegovina in the framework of the preparation of the Interim Follow-up Opinion to previous Opinions on the High Judicial and Prosecutorial Council
CDL-AD(2024)009
10-11 June, Sarajevo

Opinion on the method of electing judges to the Constitutional Court of Bosnia and Herzegovina

This Opinion [CDL-AD\(2024\)015](#) was prepared in response to three questions posed by Mr Željko Komšić, at the time Chairman of the Presidency of Bosnia and Herzegovina. It provided an overview of the qualification criteria for constitutional court judges in Council of Europe member states and outlines, regarding the qualifications of the six domestic constitutional judges in Bosnia and Herzegovina, that the Venice Commission would recommend to further refine the formulation “distinguished jurists” in Article VI of the Constitution of Bosnia and Herzegovina by establishing a minimum level of professional legal experience and further specifying what legal professions would be covered by this term. The Opinion concluded that ethnic criteria, alongside gender, linguistic, religious or other criteria, could be part of general considerations of each electing body with a view to achieving a pluralistic and balanced composition of the constitutional court, but emphasised that strict ethnic requirements or quotas would not be consistent with the distinctive role and responsibility of the constitutional court as a federal institution reflecting and serving the rule of law.

BULGARIA

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 Code of Ethical Conduct for Bulgarian Judges, and 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 Code of Ethical conduct for Bulgarian Prosecutors and Investigators

In these Joint Opinions [CDL-AD\(2024\)004](#) and [CDL-AD\(2024\)005](#), requested by the Minister of Justice of Bulgaria, the Venice Commission and DGI evaluated the Code of Ethical Conduct for Bulgarian Judges and the Code of Ethical Conduct for Bulgarian Prosecutors and Investigators.

While the Opinions generally praised the substance of both Codes, they suggested areas for improvement. These included providing clearer grounds in legislation for disciplinary liability; reconsidering the principle of loyalty in the Code for prosecutors; enhancing the



Meetings with the national authorities of Bulgaria in the context of the preparation of the joint Opinions of the Venice Commission and DGI on the Code of Ethical Conduct for Bulgarian Judges, Prosecutors and Investigators
[CDL-AD\(2024\)004](#) and [CDL-AD\(2024\)005](#)
26 January, Sofia

role of judicial and prosecutorial councils in safeguarding judges, prosecutors, and investigators amidst public debate and unjustified criticism; establishing ethical rules on whistleblowing and disclosing workplace misconduct; and providing more detailed guidance on the external activities of judges, prosecutors, and investigators. The Opinions stressed the necessity of amending the Law on the Judiciary to outline the main substantive rules of ethical behaviour and to delineate grounds for disciplinary liability separately from the codes of ethical conduct. This should be done in a manner that ensures clarity and predictability.

GEORGIA

Follow-up Opinion to the Joint Opinion on the draft amendments to the Election Code and to the Rules of Procedure of the Parliament of Georgia

The Opinion [CDL-AD\(2024\)010](#), requested by the PACE Monitoring Committee, concluded that none of recommendations made in the [initial Opinion](#) had been taken into account by the Georgian authorities, not even partly. It stressed once again that the – now adopted – amendments were clearly insufficient to ensure a consensus-based political process which is crucial for the independence and impartiality of the Central Election Commission (CEC) and for public trust in this institution. One of the major concerns was related to the new anti-deadlock mechanism for filling vacant positions, which provided for the possibility of two additional rounds of voting under which the candidates can be elected by simple majority, and which bore the risk that the ruling party alone could elect the (non-partisan) CEC members and Chairperson.

Urgent Opinion on the Law of Georgia on Transparency of Foreign Influence

In this Urgent Opinion [CDL-AD\(2024\)020](#), requested by the President of the Parliamentary Assembly of the Council of Europe, the Commission regretted that Parliament did not wait for its Opinion before adopting the Law. It moreover regretted that this Law was adopted in a procedure which left no space for genuine discussion and meaningful consultation. The Commission strongly recommended repealing the Law in its current form, as its fundamental flaws would involve significant negative consequences for freedoms of association and expression, the right to privacy, the right to participate in public affairs as well as the prohibition of discrimination.

The Opinion concluded that the restrictions set by the law to the rights to freedom of expression, freedom of association and privacy do not meet the requirements of legality, legitimacy, necessity in a democratic society and proportionality, as were not in conformity with the principle of non-discrimination. The law, under the alleged aim of ensuring transparency, had the objective effect of risking the stigmatizing, silencing and eventually elimination of associations and media which received even a low part of their funds from abroad. A strong risk was created that the associations and media which come to be affected would be those who were critical of the government, so that their removal would adversely affect open, informed public debate, pluralism, and democracy.

The Venice Commission strongly recommended that the Georgian authorities abandon the special regime of registration, reporting and public disclosure requirements for civil society organisations, online media and broadcasters receiving foreign support, including administrative sanctions.

Opinion on the draft constitutional law on the “protection of family values and minors”

The Opinion [CDL-AD\(2024\)021](#), requested by the President of the Monitoring Committee of PACE, analysed the draft constitutional law on protecting family values and minors which sought to restrict legal relationships other than those between an assigned man at birth (“genetically male”) and an assigned female at birth (“genetically female”), the right to adoption or foster care of single persons and all gender identities other than those of a (biological) woman and a (biological) man. The text also prohibited acts, gatherings and the dissemination

of information or products that challenge this concept or promote incest. The Venice Commission regretted that a constitutional amendment on sensitive issues was proposed in a turbulent time, few months before the elections, without a proper impact analysis nor involving the relevant stakeholders. The Commission considered that the compliance of the provisions at stake with European and international standards could not be established and the mere proposal of adopting this text risks to (further) fuel a hostile and stigmatising atmosphere against LGBTI people in Georgia. The Commission thus recommended that the authorities reconsider this legislative proposal entirely and not proceed with its adoption. If the project had to be maintained, the Commission provided a list of specific recommendations to be addressed.

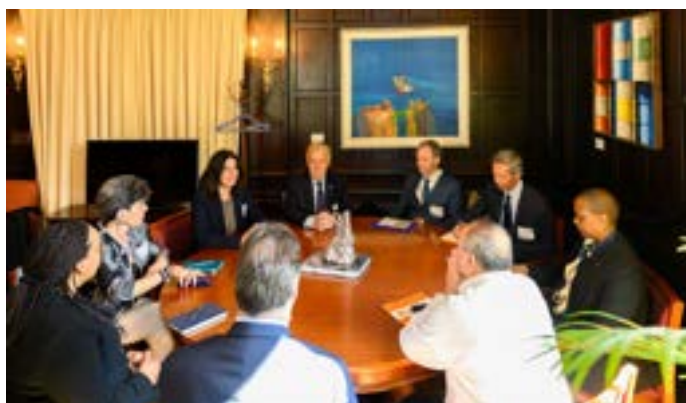
Opinion on amendments to the Election Code which abolish gender quotas

The Opinion [CDL-AD\(2024\)023](#), requested by the PACE Monitoring Committee, stressed that international standards recognised positive obligations of the State to ensure gender equality – as did the Constitutional Court of Georgia in a judgment of 2020, in which it confirmed the constitutionality of the temporary gender quotas as far as their applicability to women was concerned. The 2020 amendments introducing gender quotas for candidate lists in parliamentary and local elections as well as the financial incentives for political parties were in line with previous recommendations of the Venice Commission, but they had now been abolished without being replaced by any other measures aimed at facilitating the election of women candidates. It had been demonstrated that gender quotas could influence women’s parliamentary representation, and they were not contrary to the principle of equal suffrage if they had a constitutional basis, as in Georgia. The Opinion thus recommended taking special temporary measures to improve women’s representation in Parliament and in local councils (“Sakrebulo”), such as the re-introduction of gender quotas or other recognised methods for facilitating the election of women candidates, so that current percentages of women who are elected are increased substantially.

HAITI

Interim and Final Opinions on possible constitutional and legislative solutions to conduct future electoral processes in Haiti

In these Opinions [CDL-AD\(2024\)017](#) and [CDL-AD\(2024\)042](#), requested by the Organization of American States, the Commission noted that as regards the substance of the constitutional revision, it was crucial to eliminate from the Haitian constitutional system those elements of instability (in primis the cumulative effect of the partial renewal of the chamber without a transitional arrangement in case of delayed elections, the lack of a permanent electoral management body, the lack of permanent electoral legislation and the lack of a permanent court competent to resolve electoral disputes) which had led to the collapse of the state institutions under the current Constitution. Security and capacity to carry elections were two essential pre-conditions for holding elections. Concerning electoral legislation, the starting point should be the 2021 decree, or the rules applied at the last elections. Amongst the most important issues to be addressed in this legislation were notably the following: ensuring that all Haitian nationals be in a position to take part in the electoral process; ensuring the proper registration of voters, in view of the establishment of permanent electoral registers; limiting the restrictions to the right to be elected, while introducing a solid legal basis for suspending the political rights of citizens who are awaiting trial for serious crimes or who are subject to individual sanctions, in particular by the United Nations; allowing displaced persons to vote in their actual place of residence for their constituency of origin – at least provisionally -, while the right to vote for citizens abroad should be introduced gradually



Visit to OAS in the framework of the preparation of the Opinions on possible constitutional and legislative solutions to conduct future electoral processes in Haiti
[CDL-AD\(2024\)017](#) and [CDL-AD\(2024\)042](#)
15 May, Washington DC

if there is a broad political consensus and if it is safe and reliable; providing for rules on redistricting ensuring equal voting power and a regular revision of the allocation of seats providing for a balanced composition of the lower electoral administration and, after the next elections, establishing an independent and impartial Permanent Electoral Council as well as adopting permanent electoral legislation; exploring the introduction of digital technologies for the transmission of results.



Meetings with representatives of the Haitian authorities during the plenary session of the Venice Commission
6-7 December, Venice

HUNGARY

Opinion on Act LXXXVIII of 2023 on the Protection of National Sovereignty

The Opinion [CDL-AD\(2024\)001](#), requested by the PACE Monitoring Committee, concluded that the part of the Act which extended the prohibition to receive foreign funding, which in the past applied only to political parties, and established a new criminal offence entitled “Illegal influence of the will of voters” needed to be amended to provide for certain exceptions of the new restrictions and for more precise definitions, in order to be compatible with international standards. Concerning the other part of the Act which established the Sovereignty Protection Office, the Opinion noted that in a democratic state, threats identified by the justification of the Act normally are countered through the ordinary institutions of the state, which provide for guarantees in respect of interferences in the exercise of fundamental rights, such as courts and law enforcement authorities. The Sovereignty Protection Office should not encroach on the constitutional competences of these bodies, and the Venice Commission failed to see the need for its establishment. The Commission made several recommendations aimed at, *inter alia*, repealing



Visit to Hungary in the framework of the preparation of the Opinion on the Act LXXXVIII of 2023 on the Defence of National Sovereignty
CDL-AD(2024)001
15-16 February, Budapest

the Act in the sections relating to the Sovereignty Protection Office and providing more nuanced and precise definitions of “foreign support” and other terms used in the new provisions of the Act on Election Procedure and of the Criminal Code.

KYRGYZSTAN

Opinion on the draft amendments to the Code of Administrative Offences of the Kyrgyz Republic introducing penalties for insult and slander

In this Opinion [CDL-AD\(2024\)025](#), requested by the Minister of Justice of the Kyrgyz Republic, the Venice Commission concluded that the introduction of insult and slander as administrative offences does not, in itself, violate international standards. However, it recommended that direct adjudication of these offences by the judiciary would align more closely with human rights commitments. Additionally, such regulation must satisfy the three-part test of legitimacy, legality, and necessity/proportionality, as required by Article 19(3) of the ICCPR. The Commission emphasised that the necessity of the proposed amendments should be clearly justified, substantiated, and explained in the accompanying explanatory report. It also recommended that the authority to adjudicate cases of insult and slander should be vested directly in the courts rather than an “authorised body”. Furthermore, administrative remedies should only be initiated at the request of the alleged victim, should not proceed alongside civil remedies, and should be discontinued in the event of a friendly settlement.

Opinion on the draft law “On amendments to the Law of the Kyrgyz Republic on Regulatory Legal Acts”

In this Opinion [CDL-AD\(2024\)026](#), requested by the Minister of Justice of the Kyrgyz Republic, the Commission emphasised that the legislature’s supremacy in the law-making process must remain central. Consequently, the draft should provide greater clarity regarding the planning of legislative activities and reinforce the role of Parliament in these processes. Regarding the impact assessment of draft laws, the Commission stressed that any exclusion from the impact assessment procedure must be properly justified. On public discussions, the Commission welcomed the creation of a unified portal but identified shortcomings, specifically, the material scope of laws subject to public discussion was ambiguously defined and needed clarification. The Commission also underlined that the list of documents accompanying draft laws should be clearly specified, and exceptions to public discussions must be justified. Additionally, the Commission found problematic the reduction of the timeframe for public discussions, as proposed in the draft. The Commission also examined the pilot mode for public discussions, designed to introduce innovative solutions. While the initiative was seen as a positive step, concerns were raised about the excessive centralisation of all functions within the executive branch.

Opinion on the draft amendments to the Criminal Procedure Code concerning bail and videoconferencing in criminal proceedings

The Opinion [CDL-AD\(2024\)032](#), requested by the Minister of Justice of the Kyrgyz Republic, concluded that the draft law aimed toward enhancing transparency, fairness, and modernising the Kyrgyz judicial system, with welcome provisions focusing on: Regulating criteria for determining bail amounts; incorporation of technology and emphasis on accurate record-keeping; enhancing transparency through the broadcasting of court hearings. The recommendations of the Opinion included: making the criteria for allowing release on bail more precise; explicitly stating the obligation to determine the amount of the bail on the basis on the property status of the accused; ensuring clear procedures for defendants to contest the amount of bail; ensuring technical and procedural standards for videoconferencing; making a direct reference to the

principle of presumption of innocence; regulating the legitimate aims of remote hearings; defining guidelines for when remote hearings are appropriate; providing explicit guarantees for confidential communication; ensuring that defendants in remote proceedings have secure and private means of communicating with their legal representatives; preserving their right to effective defence.

Opinion on Law No. 72 of 2 April 2024 amending the Law on Non-profit Organisations

In this Opinion [CDL-AD\(2024\)033](#), requested by the Minister of Justice of the Kyrgyz Republic, the Commission regretted the fact that the law was adopted with limited public consultation process, although the law was complex and very controversial, while there was no public consultation over the subsequent Cabinet of Ministers Regulation, as prescribed also by domestic law. The Commission noted that the law contained vague and potentially all-encompassing definitions, especially that of NPOs performing functions of a foreign representative and of political activities, and grants very large discretion of sanctioning and control, especially to the Ministry of Justice. Thus, neither the law nor the Regulation are compatible with the condition of legality. The aims pursued by the law were not clearly stipulated and it was therefore impossible to conclude that the condition of legitimacy is met. Lastly, there was no data substantiating the necessity to introduce a special regulation for NPOs receiving foreign funding. Such regulation is therefore incompatible with the right to freedom of association as well as with the principle of non-discrimination. The situation was compounded by the fact that the law did not appear to provide a full remedial scheme before independent and impartial courts. Thus, the Commission recommended that the authorities repeal the law and overhaul the law on NPOs, aligning it with international human rights standards.



Delegation of the Venice Commission meeting with national authorities of the Kyrgyz Republic in the framework of the preparation of its Opinion on Non-profit Organisations
[CDL-AD\(2024\)033](#)
18 September, Bishkek

LEBANON

Opinion on the draft law on the Administrative Judiciary

The Opinion [CDL-AD\(2024\)006](#), requested by the Minister of Justice of Lebanon, analysed the new draft law, which aimed at reducing the influence of the executive and leaving more space for judicial self-government, creating a High Council of Administrative Justice, the double degree of jurisdiction and codifying the entire administrative procedure. Welcoming the initiative of the authorities to modernise the administrative justice system, the Venice Commission made several important recommendations relating to implementing the reform and improving the draft law. In particular, given the economic and financial crisis impacting the Lebanese judiciary in terms of lack of funds, appropriate infrastructure, and judicial and non-judicial staff, the Venice Commission recommended a phased introduction of the administrative justice reform and the non-judicial measures to be adopted in this context. The main recommendations regarding the draft law itself focused on improving the composition of the High Council of Administrative Justice, disciplinary proceedings, powers of the State Council President, independence of judges (appointment, eligibility criteria, evaluation and transfers) and the procedure (case assignment, public hearing and recusals).



Mr Henri Khoury, Minister of Justice of Lebanon and Mr Georges Okais, Chair of the Parliamentary Sub-Commission on Administration and Justice attending plenary session of the Venice Commission
16 March, Venice

THE REPUBLIC OF MOLDOVA

Opinion on the Law on the partial implementation of the postal vote

The Opinion [CDL-AD\(2024\)022](#), requested by the President of the Parliament of the Republic of Moldova, recalled that stability of electoral law was an essential element of legal certainty. In the present case, due the limited scope of the amendments adopted less than five months before the next elections, the principle of stability had not been violated. On substance, the proposal by the Moldovan authorities to move toward postal voting for citizens abroad was to be welcomed. A trial of different methods was prudent and would be applied at least to the presidential elections and referendum of 20 October 2024. The limited territorial scope of this trial was acceptable due its application to one vote only. The Opinion therefore made two main recommendations: ensuring that any future amendments to electoral legislation are adopted by broad consensus after extensive public consultations with all relevant stakeholders, well in advance of elections; and, if the trial is successful, giving postal voting abroad a perennial character, and applying it to all countries where postal voting is safe and reliable, to be identified by decisions of the Central Electoral Commission.



High-level bilateral meetings of the Venice Commission's delegation with the Moldovan authorities
22-23 May, Chisinau



Ms Claire Bazy Malaurie, President of the Venice Commission and Deputy Prime Minister and Mr Mihail Popșoi, Minister of Foreign Affairs of the Republic of Moldova
15 April, Strasbourg

MONTENEGRO

Urgent Opinion on the draft law on the prevention of corruption

In this Urgent Opinion [CDL-AD\(2024\)011](#), which was requested by the Minister of Justice of Montenegro, the Venice Commission expressed its regret that not more extensive amendments to the Law on the Prevention of Corruption had been made, given the agreement on the direction of these amendments among the Commission's interlocutors. In particular, such amendments should have included the development of a comprehensive stand-alone law on whistleblowers with a wider scope than just threats or harm to the public interest indicating corruption or breaches of EU regulations. In addition, the Urgent Opinion outlined the need to clarify the definition of a public official, to avoid any ambiguity about its scope and to be able to impose stricter obligations and restrictions on those public officials whose roles entail higher risks of breaches of integrity. As regards conflicts of interest and incompatibilities, the Urgent Opinion stated that it should be ensured that the statement or notification of a conflict of interest and the subsequent recusal by the public official is not limited to participation of that official in discussion and decision-making, but also covers any kind of other engagement in a matter. Finally, as regards asset

and income declarations, the Venice Commission recommended notably to expand the categories of data to be declared and explore ways for the Agency for the Prevention of Corruption to access information held by banks and other financial institutions in order to be able to verify the asset and income declarations.



Visit to Montenegro in the context of the preparation of its urgent Opinion on the draft law on the prevention of corruption
CDL-AD(2024)011
29 April, Podgorica

Urgent Follow-up Opinion on the revised draft amendments to the Law on the Judicial Council and Judges

This Urgent Follow-up Opinion [CDL-AD\(2024\)012](#) was requested by the Minister of Justice of Montenegro. The Commission, while noting that a number of its earlier recommendations had been followed, drew attention to the following outstanding recommendations: to regulate the income and other work-related rights of judges through statutory legislation; to introduce in clear terms the incompatibility of prominent lawyers' membership in the Judicial Council only for high officials of a political party; to avoid setting the low threshold of 30% of quashed decisions in the forthcoming new Rules for the Evaluation of Judges and Court Presidents, which the authorities undertook to prepare; to provide clearly that the Commission for the Code of Ethics may only "inform" the Judicial Council about a judge's potential disciplinary liability; to amend the draft law so that judicial members of the Judicial Council may only be dismissed therefrom for severe and most severe disciplinary offences; to provide that disciplinary proceedings may be initiated only by members of the Judicial Council; in cases where the Commission for the Code of Ethics informs the Judicial Council about a judge's potential disciplinary offense, the Commission's president should not participate in the disciplinary proceedings; to provide that a member of the Judicial Council who files a disciplinary motion be absolutely excluded from deciding upon it.

Urgent Follow-up Opinion to the Opinions on the Law on the State Prosecution Service

In this Urgent Opinion [CDL-AD\(2024\)013](#), requested by the Minister of Justice of Montenegro, the Commission, recalling its eight opinions on the Law "On the State Prosecution Service" of Montenegro adopted in 2008-2021, pointed out that most of the previous key recommendations (for example, improving the transitional model for further depoliticisation of the Prosecutorial Council and finding a more sustainable solution - describing the composition of the Prosecutorial Council and the method of election of its members in the Constitution) had not been followed and thus remain valid. Regarding the new draft amendments, the Commission recommended providing the right to appeal against compulsory transfer decisions and more detailed criteria thereof, improving the criteria for performance evaluation and disciplinary accountability and dismissal of Prosecutorial Council members. The Commission also invited the authorities to make full use of its previous and new recommendations in order to consolidate the law and provide the State Prosecution Service with the necessary sustainable safeguards, protecting it from corporatism and politicisation.



Mr Bojan Božović, State Secretary,
Ministry of European Affairs of Montenegro, and
Ms Jelena Grdinic, Ministry of Justice of Montenegro
attending June plenary session for the adoption of Opinions
in respect of Montenegro
21 June, Venice

Urgent Follow-up Opinion to the Opinions on the Law on the Special State Prosecutor's Office

In this Urgent Opinion [CDL-AD\(2024\)014](#), requested by the Minister of Justice of Montenegro, the Commission pointed out that most of the previous key recommendations (for example, minimising the risks of abuse and/or political pressure, specifying the criteria and procedure for the recruitment, disciplinary procedures, safeguards against undue interference and the powers of special prosecutors in relations to other institutions) had not been followed and thus remain valid. Regarding the new draft amendments, the Commission recommended specifying the jurisdiction of the Special State Prosecutor's Office over inciting illicit influence and active bribery to avoid overlapping with the competence of other state prosecutor's offices, to include all the relevant categories in the list of "high-ranking public officials" in Article 3 of the draft law and to devise an appropriate strategy for reducing the case backlog. The Commission also invited the authorities to make full use of previous recommendations in order to provide the Special State Prosecutor's Office with the necessary autonomy, functional and accountability guarantees.

Urgent Opinion on the draft amendments to the law on seizure and confiscation of material benefit derived from criminal activity

In this Urgent Opinion [CDL-AD\(2024\)024](#), requested by the Minister of Justice of Montenegro, the Commission regretted that the draft amendments had been elaborated quite speedily and in the absence of a public debate, despite their crucial importance in the fight against corruption in Montenegro. The purpose of the amendments was providing for two types of confiscation: an "extended" confiscation following a criminal conviction for certain crimes and a "non-conviction-based" confiscation in cases where criminal prosecution would be impossible for a series of objective reasons. The Urgent Opinion welcomed the improved model of non-conviction-based confiscation and the strict deadlines for the application of interim measures, which sufficiently counterbalanced the state's advantage in the seizure and confiscation proceedings. However, it recommended clarifying the scope of seizure and confiscation measures, providing sufficient guarantees and procedural rights to bona fide third parties; clearly defining the burden of proof by establishing a substantive link between

the assets in respect of which confiscation is sought and the criminal offence and specifying a temporal scope to limit the retroactive review of the legality of enrichment.

POLAND

Urgent 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 law amending the Law on the National Council of the Judiciary of Poland

The Opinion [CDL-AD\(2024\)018](#), requested by the PACE Monitoring Committee, welcomed the draft law proposing that fifteen judicial members of the National Council of the Judiciary (NCJ) be elected by the judicial community, instead of being elected by the Sejm, as the current law stipulates. However, the draft law proposed to exclude judges, appointed or promoted since 2018 by the reformed NCJ, from standing for the new NCJ election. This exclusion raised concerns about proportionality. Therefore, the Venice Commission and DGI recommended reconsidering the eligibility criteria for judges seeking candidacy in the NCJ election. Regarding the proposed early termination of the mandate of the current judicial members of the NCJ, the Venice Commission and DGI acknowledged that that measure could be justified given that the draft law aimed to safeguard judicial independence and address the violations of the ECHR stemming from the appointment of the current NCJ members. Furthermore, in order to prevent any risk of finding of a breach of ECHR on account of lack of judicial review for early termination of the mandate by the current NCJ members, it would be appropriate to provide such a remedy.



A delegation of the Venice Commission conducted a visit to Poland within the context of the preparation of its urgent joint opinion on the draft law amending the Law on the National Council of the Judiciary of Poland
[CDL-AD\(2024\)018](#)
25-26 April, Warsaw

Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law (DGI) of the Council of Europe on European standards regulating the status of judges

In their Joint Opinion [CDL-AD\(2024\)029](#), the Venice Commission and DGI responded to specific questions put forward by the Minister of Justice of Poland to the Commission in considering the options for dealing with the status of judges appointed or promoted by the deficient NCJ reformed in 2017 as well as their decisions. The Opinion stressed that this issue has to be seen first and foremost against the background of the obligation by Poland to execute the judgments of the ECtHR. The Opinion therefore analysed the rule of law requirements and the parameters that need to be followed in this process. In particular, any arrangement chosen by Poland would need to comply with the following parameters:

- (a) address the status of “all” judges appointed in the deficient procedure;
- (b) the assessment should not be conducted by a government-controlled body, need for judicial review;
- (c) the assessment needs pre-established criteria and procedures;
- (d) the assessment its consequences should be strictly in line with the principle of proportionality - some form of assessment by reference to cohorts of appointments including, where necessary, individual circumstances of appointment or promotion, would be needed; and
- (e) the mechanism needs to be suitable for a fairly rapid settlement of the issue.

Regarding the status of the judgments, the principle of *res judicata* should be guiding; therefore, it should be made conditional for parties to the proceedings to invoke the invalidity of a judicial decision. Based on the above, the Opinion stated that these appointments and promotions could not be invalidated *ex tunc*. It was important to ensure a differentiated approach to the various categories of judges within this group (instead of removing them by law), emphasising:

- (1) the principle of proportionality in reviewing the procedures for their appointment and promotion; and
- (2) the principle of legal certainty in challenging the decisions made by those judges.

Opinion on the draft amendments to the Law on the Public Prosecutor's Office

In this Opinion [CDL-AD\(2024\)034](#), requested by the Minister of Justice of Poland, the Venice Commission welcomed the proposed separation of the offices of the Prosecutor General and the Minister of Justice, which addressed a key concern expressed by the Venice Commission in 2017 that the merger of these offices had undermined the independence of the prosecution service. However, the Opinion recommended a number of improvements to the procedures for the appointment and accountability of the Prosecutor General, as well as the composition and powers of the National Prosecution Council. As regards the prosecutorial council, it should play a key role in the appointment of the Prosecutor General. In order to strengthen its role, the prosecutorial council should be entrusted to carry out the selection and possibly the shortlisting of the candidates (after a public call) on the basis of the criteria established by the law. Greater input from external experts should be ensured through the composition of the prosecutorial council. At the same time, the prosecutorial component of the Council must represent all levels of the prosecution service. As to the competence, the prosecutorial council should be entrusted with the appointment, career and discipline of the other prosecutors, to effectively fulfil its role as a guardian of prosecutorial independence. The Opinion pointed to the absence of constitutional provisions for the Prosecutor General and prosecution service. However, constitutional entrenchment would promote stability and limit frequent reforms. Despite political polarisation hindering amendments, authorities should prioritise this objective.



Exchange of views at the Public Prosecutor's Office in the context of the preparation of the Opinion on the draft amendments to the Law on the Public Prosecutor's Office
[CDL-AD\(2024\)034](#)
12-13 September, Warsaw



Ms Claire Bazy Malaurie, President of the Venice Commission and
Mr Adam Bodnar, Minister of Justice of Poland
6 June, Strasbourg

Opinion on the draft constitutional amendments concerning the Constitutional Tribunal and two laws on the Constitutional Tribunal

This Opinion [CDL-AD\(2024\)035](#) assessed the reforms proposed first and foremost as a measure of execution of the judgments of the ECtHR, notably the case of *Xero Flor w Polsce sp. z o.o. v. Poland*. In doing so, the Venice Commission recommended requiring (*ex lege*, if not done voluntarily) the three judges, who have been deemed to have been irregularly appointed, to immediately withdraw from all pending cases. In order to address the status of the decisions adopted with the participation of these three irregularly appointed judges, it furthermore recommended that the authorities reconsider the *ex lege* invalidation of judgments and orders involving irregularly appointed judges, providing for a more tailored approach, thereby safeguarding legal certainty, through envisaging the possibility for persons concerned and entities with standing before the Constitutional Tribunal to apply to have proceedings reopened.

In order to de-politicise the election of judges to the Constitutional Tribunal, the Commission welcomed the legislative provisions envisaging new incompatibility requirements for constitutional judges and requiring a qualified majority in the Sejm for the election of constitutional judges, stressing also the need to complement this with an effective anti-deadlock mechanism. However, the Venice Commission did not support a complete renewal of the Constitutional Tribunal at an indetermined future point in time (when a constitutional majority would be reached) and

considered that in the meantime a more pluralistic composition of the Constitutional Tribunal could be achieved by filling any upcoming vacancies.

SERBIA

Opinion on the draft law on the Judicial Academy and draft amendments to the Law on Judges and the Law on the Public Prosecutor's Office

In this Opinion [CDL-AD\(2024\)036](#), requested by the Minister of Justice of Serbia, the Venice Commission noted that the central issue in the draft legislation was whether the Judicial Academy should become the exclusive channel for entry into the judicial and prosecutorial professions through the completion of the “prior training” programme and the passing of a professional examination at the Academy or maintain the current dual system, where the professional examination may also be taken directly before the Judicial or Prosecutorial Council. While both options are viable, the Commission favoured assigning exclusive responsibility to the Academy. Firstly, placing initial training before appointment ensures that candidates are adequately trained and prepared, enabling a genuine merit-based evaluation of their qualifications. Secondly, a uniform examination process promotes equality and fairness, reducing the risk of diverging practices. Thirdly, eliminating the redundant parallel system would streamline the recruitment process, enhancing its efficiency and predictability. Additionally, the Opinion emphasised the importance of safeguarding the Academy’s independence, clarifying the oversight roles of the Judicial and Prosecutorial Councils, as well as reconsidering the Minister of Justice’s *ex officio* role on the Management Board of the Academy.

SPAIN

Opinion on the rule of law requirements of amnesties, with particular reference to the parliamentary bill of Spain “on the organic law on amnesty for the institutional, political and social normalisation of Catalonia”

This Opinion [CDL-AD\(2024\)003](#) was prepared in reply to the requests by the President of PACE and the President of the Senate of Spain. According to the Opinion, amnesties should meet several rule of law requirements, including: legality and supremacy of the law, entailing, preferably, approval by



Delegation of the Venice Commission visiting Spain in the framework of the preparation of the Opinion on the rule of law requirements of amnesties

CDL-AD(2024)003

8 February, Madrid

parliament with appropriately large majority and in all cases compliance with the Constitution; respect for international law — in particular human rights law —; legal certainty, hence clarity, determinacy, accessibility and foreseeability of the provisions; equality in law; independence of the judiciary and separation of powers. The Opinion noted, *inter alia*, that amnesties should pursue a legitimate aim in the community's interest; national unity and social and political reconciliation could be considered among those legitimate aims. Proportionality required that, in each given case, the proposed amnesty should be a suitable means to achieve unity and reconciliation. To be consistent with the principle of separation of powers, the judiciary should be entrusted to decide whether specific individuals fulfil the general criteria determined by Parliament for applying the amnesty. The Opinion recommended: to narrow down and define in a more precise way the material and temporal scope of the application of the amnesty, thus rendering the law more foreseeable; to ensure that a closer causal link is established between "the consultations held in Catalonia on 9 November 2014 and 1 October 2017, their preparation or their consequences" and the acts of embezzlement and corruption; as concerns terrorism, to make sure



that, in the interpretation of the exclusions, the guiding principle will be that amnesties are only compatible with international standards if serious human rights violations are excluded from their scope of application; that the committees of inquiry set up by the Congress of Deputies of Spain not be given the mandate to summon, nor even to invite judges to report to them, in particular on the merits of the cases which they have decided; to attempt to reach a higher qualified majority than the absolute majority of the members of the Congress which is required for the adoption of an organic law.

TÜRKİYE

Opinion on the composition of the Council of Judges and Prosecutors and the procedure for the election of its members

The Opinion [CDL-AD\(2024\)041](#), requested by the PACE Monitoring Committee, assessed the composition of the Council of Judges and Prosecutors (CJP) and the procedure for the election of its members against the background of the social, historical and political context in Türkiye. The Venice Commission outlined the need to shield the CJP from interference of the executive and legislative powers and it recommended, *inter alia*, that: at least half of the CJP members should be judges and prosecutors elected by their peers, ensuring representation across all levels of the judiciary; the Minister of Justice and the Undersecretary of Justice should be removed from the CJP; the size of the CJP and the number of non-judicial members elected by the National Assembly should be increased, excluding members



Exchange of views at the Ministry of Justice of Türkiye in the framework of the preparation of the Opinion on the composition of the Council of Judges and Prosecutors

CDL-AD(2024)041

3-4 October, Ankara

of the executive and legislative powers as well as candidates with a clear political affiliation; members of the CJP should enjoy security of tenure and functional immunity; the President of the CJP should be a neutral figure, elected by its members, with reduced powers, especially in respect of inspections and investigations of judges and prosecutors; and judicial review against all decisions of the CJP should be introduced.



Delegation of the Venice Commission visiting Türkiye in the framework of the preparation of its Opinion on the composition of the Council of Judges and Prosecutors CDL-AD(2024)041 3-4 October, Ankara

EUROPEAN COURT OF HUMAN RIGHTS

Amicus curiae brief in the case of Staderini and Others v. Italy on the stability of electoral legislation and some features of a mixed electoral system

The *amicus curiae* brief [CDL-AD\(2024\)037](#) was drafted upon request by the European Court of Human Rights. It provided an overview of the Venice Commission's standards concerning the principle of stability of electoral law, according to which both frequent amendments of the electoral law and amendments shortly before elections should be avoided. Furthermore, the *amicus curiae* brief came to the conclusion that the electoral system described in the question raised by the court was compatible with the principles of equal and free suffrage, noting that there was no international standard requiring that in case of a mixed electoral system two separate votes can be cast for a party and for a candidate of another party, or that voters can cast their vote under the majoritarian system, without this having an effect on the proportional component of elections. Moreover, it concluded that while there were no international standards requiring states to provide

effective remedies to challenge the electoral law itself for not being in accordance with the key principles of democratic elections, individuals should in any case be provided with an effective remedy in case they allege a violation of their own individual voting rights as guaranteed by Article 3 of Protocol No. 1 ECHR – including by non-respect of the principles of stability of electoral law or of equality in electoral systems.

Amicus curiae brief in the case of Shevchuk v. Ukraine on standards on the disciplinary rules concerning presidents and judges of constitutional courts

In this *amicus curiae* brief [CDL-AD\(2024\)038](#), prepared following a request by the European Court of Human Rights, the Venice Commission concluded that the most important procedural guarantees in disciplinary proceedings against judges are the right to be heard, to challenge the grounds for dismissal, to have access to the files used in proceedings against him/her, and to present evidence of his/her innocence. The Commission noted that no specific additional procedural guarantees are provided in disciplinary proceedings concerning the Presidents of constitutional courts and that there is no common European standard requiring to provide access to judicial proceedings outside of the constitutional court in relation to the dismissal of the constitutional court's President or judges. The special role of constitutional courts, being particularly vulnerable to political pressure, justifies that disciplinary proceedings leading to the dismissal of its judges, including the President, should be carried out within the constitutional courts. The Commission also found that most Council of Europe member states leave it to the constitutional courts to carry out disciplinary procedures against their judges. In some member states without constitutional courts, the supreme courts have constitutional jurisdiction and decisions on dismissing apex court judges are made by a judicial body at the same level and with equivalent guarantees for independence and impartiality.

V. REPORTS, CONFERENCES AND FOLLOW-UP ACTIVITIES

In recent times, to maximize the impact of its work, the Commission has increasingly focused on the follow-up of its Opinions. This includes country-specific missions, participation in debates and conferences, media exchanges, and other activities. The Commission's assessments are grounded in international standards while also contributing to their identification and development.

In parallel to providing Opinions, the Commission's mission also involves organising conferences and seminars, other scientific events as well as preparing general reports on specific topics. The emergence of new issues in country-specific Opinions underscores the need for such events and reports to address evolving challenges. Notably, the Venice Commission has initiated an update of the Rule of Law Checklist to provide appropriate solutions to these new challenges.

1. UPDATE OF THE RULE OF LAW CHECKLIST

As a follow-up to the Reykjavík Declaration - United around our values of the Fourth Summit of Heads of State and Government of the Council of Europe, the Venice Commission has launched the update of the Rule of Law Checklist through an inclusive process of consultation of the stakeholders. During the past nine years, the Checklist has become a Venice Commission's identity document and served as a practical tool for stakeholders. In 2024, the update of the Checklist has therefore been an ever-present point of reference throughout the work carried out by the Commission, in order to understand how the Checklist has been used in the past years, and to collect feedback on how it may be developed.

This exercise started in July 2024, with an informal exchange of views with representatives of civil society organisations (CSOs) organised by the Committee of Ministers' Rapporteur Group on Legal Co-operation (GR-J). This exchange of views enabled CSOs to provide feedback on the use and impact of the Rule of Law Checklist and to make proposals for its further development.

The update of the Rule of Law Checklist has been a topic addressed in several conferences co-organised by the Venice Commission. In particular, on 18 and 19 April 2024, together with the University of Gdansk, the Venice Commission held the Conference *"Elements and dynamics of the European legal standard"* in Gdansk, Poland. The conference provided an opportunity for a thorough reflection among Venice Commission's members and academics on the significance of legal standards on the separation of powers, the judiciary and the prosecutor's office, and the constitutional judiciary in an era of major challenges to the European legal architecture and its democratic values.



The working group on the update of the Rule of Law Checklist
Venice

On 14-15 November 2024, the international high-level Conference “*Respect for the Decisions of Constitutional Courts*” co-organised by the Venice Commission, together with the Constitutional Court of Armenia and the Directorate General: Human Rights and the Rule of Law of the Council of Europe (DGI) in Yerevan, Armenia, allowed for exchanges with constitutional courts.

On 28 and 29 November 2024, the seminar on “*Private Powers and the Rule of Law*” organised in Madrid, Spain, allowed for an in-depth discussion from a great variety of perspectives (with speakers from private companies (TikTok), civil society, academia, politics and the Venice Commission itself) on the impact of private powers on human rights, democracy and rule of law, highlighting *inter alia* some of the matters the Rule of Law Checklist would need to capture in relation to the impact of private powers, without making the Checklist directly applicable to these private powers.

A report is under preparation by the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe on “*Updating the Venice Commission Rule of Law Checklist: a contribution by the Assembly*” with a view to contributing from a parliamentary perspective to this endeavour. In this context, Venice Commission rapporteurs were invited to intervene at the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe meeting in Paris, France, in September 2024.

A broad written consultation about the use of the Rule of Law checklist and proposals for its improvement was launched at the end of 2024, involving: the Permanent Representations of the Member States of the Council of Europe as well as observer States with the Council of Europe; the member states of the Venice Commission which are neither members nor observers of the Council of Europe; the European Court of Human Rights of the Council of Europe; the Group of States against Corruption of the Council of Europe (GRECO); the Advisory Council of Youth of the Council of Europe; the Consultative Council of European Judges of the Council of Europe (CCJE); the Consultative Council of European Prosecutors of the Council of Europe (CCPE); the European Commission; the European Union Agency for Fundamental Rights.

2. REPORTS

The Commission’s assessments, on the one hand, are based on international standards, and on the other hand, contribute to identifying and developing them. In parallel to providing Opinions, the mission of the Commission, therefore, includes the preparation of general reports on specific topics. The need to prepare general reports to provide appropriate solutions to new challenges has become more acute in the last year. 2024 has, thus, been marked by an increased focus by the Commission on the preparation and the adoption of reports in a number of important areas. In 2024, the Venice Commission adopted six general reports while it had only adopted four reports overall between 2020 and 2023.

In the field of elections, the Venice Commission adopted a revised interpretative declaration to the Code of good practice in electoral matters on the Stability of electoral law [CDL-AD\(2024\)027](#), building on the 2005 initial interpretative declaration [CDL-AD\(2005\)043](#) to the 2002 Code of good practice in electoral matters [CDL-AD\(2002\)023rev2-cor](#). It outlines that the principle that stipulates that the fundamental elements of electoral law should not be amended less than one year prior to an election, should not stand in the way of making amendments in accordance with international electoral standards on which there is a consensus between government and opposition following broad public consultations. The principle should also not be used to prevent the implementation of decisions of national constitutional courts (or supreme courts with equivalent jurisdiction), international courts or of recommendations by international organisations. The revised interpretative declaration contains a more elaborate – yet not exhaustive – list of fundamental elements of the electoral law to which the one-year principle applies. It furthermore states that, with narrow exceptions, no amendments to electoral law should be made once elections have been called.

The Venice Commission adopted an interpretative declaration to the aforementioned Code of good practice in electoral matters on digital technologies and artificial intelligence [CDL-AD\(2024\)044](#), which complements the code with further guidance on the opportunities of and risks posed by

technologies like artificial intelligence, addressing such issues as personalised political advertising and microtargeting, the prevention of disinformation and the manipulation of public opinion through artificial intelligence, while highlighting recent international standards in this field. As a novelty, the interpretative declaration puts an emphasis on the co-responsibility of private actors, such as social media platforms among other internet intermediaries. Lastly, the interpretative declaration also outlines stringent requirements for the use of digital technologies by election management bodies.

Following a request by the OAS a Report on the role of electoral observers as human rights defenders was adopted by the Commission [CDL-AD\(2024\)039](#). The Report outlines how, in view to the broad concept of human rights defenders, shared by the United Nations and the Council of Europe, electoral observers qualify as human rights defenders, given that they provide procedural safeguards for the conduct of democratic elections by reinforcing transparency, sustaining voter participation, and promoting a balanced and equal competition. The Report outlines a list of guidelines for national regulations to secure the work of election observers: rules related to their accreditation and registration, access to information and individuals involved in the electoral process, and the freedom to issue public statements and reports, as well as to hold press conferences. Moreover, for national election observers, emphasis is placed on the right to freedom of association, the right to file complaints and appeals, and the right to an effective remedy. The fulfilment of these rights, in turn, imposes certain obligations on the State and the election management bodies to protect election observers within their jurisdiction and to raise awareness of the importance of their work.

Further to a request by PACE, the Venice Commission adopted a Report on a rule of law and human rights compliant regulation of spyware [CDL-AD\(2024\)043](#). Relying on the jurisprudence of the ECtHR on targeted surveillance, the Venice Commission's previous reports, other European and international standards such as the Convention for the protection of individuals with regard to the processing of personal data (Convention 108+) as well as on a comparative analysis of the existing rules in the Venice Commission's member States, the Report concluded that the use and development of intrusive surveillance software such as spyware should only

be possible if the relevant legal framework meets certain strict requirements. These include, but are not limited to: a clear legal basis for the use of spyware, with stricter rules *ratione materiae*, *personae* and *temporis vis-à-vis* other measures of targeted surveillance, with a particular attention to persons protected by professional privilege as well as journalists (who should in principle be excluded); the need to demonstrate, by the requesting authorities, that no other less intrusive means can be used to obtain the information sought; well-regulated *ex-ante* authorisation procedures before a court or another independent body; effective external, qualified and specialised, independent oversight; destruction requirements of any surplus information; and a notification mechanism for the persons under surveillance, subject to certain exceptions; as well as legislation that protects third parties from the exploitation of software vulnerabilities.

Finally, in 2024, the Venice Commission adopted two reports on issues of special interest in respect of parliaments.



Presentation of the Report on Bicameralism at the Centre of Political and Constitutional Studies of Spain
29 May, Madrid

A Report on bicameralism [CDL-AD\(2024\)007](#), aims at identifying good practices on bicameralism, in light of the increasing interest it attracts at global level and the opportunities it may offer in the context of democratic backsliding. The Report is based on the replies from members (or substitute members) of the Venice Commission.² It provides a historical

² These replies can be found in an appendix to the text and constitute a substantial database for further analysis (bicameral countries: by [country and by question](#); unicameral countries: [by country and by question](#)).

perspective of bicameralism, a presentation of arguments in its favour or against it, a description of second chambers, their typology and relationship with lower chambers, and an analysis of elements of good practices, highlighting *inter alia* that the legal status of the second chambers and its relationship with other state powers (the executive, the head of state) should be enshrined in the constitution, whereby its constitutional status, and, in particular, its powers, are to be adapted to the function for which it was created.



The Venice Commission also adopted a Report on relations between Parliament and the Government: confidence and responsibility [CDL-AD\(2024\)016](#). The Report outlines how most countries with a parliamentary system have regulated confidence relationships between government and parliament through motions of confidence and no confidence. One of the main instruments the executive can use to discipline its members and the members of the parliamentary majority that supports the government and thus secure the majority support is to raise a question of confidence in relation to the adoption of a legislative bill which, if not granted, may lead to the resignation of the government, potential dissolution of the elected chamber and early elections. Questions of confidence and the commitment of the government's responsibility are two key instruments which are used by governments to force their majority to support them, under the sanction of government resignation. In some countries, a specific vote takes place on the draft law submitted to confidence, while in others, such as France, the draft law is adopted without a deliberation, unless a motion of non-confidence is submitted to parliament, thus restricting the power of the legislature to deliberate.

3. CONFERENCES

The Commission's Opinions are rooted in international standards while also playing a role in shaping and advancing them. Alongside issuing Opinions, the Commission is also responsible for organising conferences and seminars, which are essential for addressing emerging challenges and developing solutions to new issues. Throughout 2024, the Venice Commission participated in or (co-)organised various events, raising awareness of its standards and facilitating exchanges on topics of common interest.

In particular, the Venice Commission co-organised events during the year, which aimed to contribute to reflections on the update of its Rule of Law checklist (see above).

Constitutional justice and support to constitutional courts remained an important focus in the Venice Commission's work, notably in the context of the update of the Rule of Law checklist. Two important conferences took place in 2024: in May 2024 in Chisinau, the Republic of Moldova: 19th Congress of the Conference of European Constitutional Courts (CECC) "*Forms and Limits of Judicial Deference: the Case of Constitutional Courts*" and in November 2024 in Yerevan, Armenia: an international high-level Conference "*Respect for the Decisions of Constitutional Courts*" (see Chapter on *Constitutional Justice*).



Regional Conference on "*Money in Politics*"
2-3 July, Chişinău

In October 2024, the Ministry of Foreign Affairs of San Marino and the Venice Commission co-organised in San Marino the Conference entitled "*Aspects of Constitutionalism in European small-sized States*", under the auspices of the Secretary General of the Council of Europe. The conference brought together international and constitutional law experts and representatives of Council of Europe monitoring and expert bodies (Venice Commission,

GRECO, MONEYVAL and CEPEJ). Discussions provided an opportunity to reflect on the best ways European small-sized States can draw upon the Council of Europe standards concerning judicial independence and impartiality, including those in respect of constitutional courts.



Conference on “Aspects of Constitutionalism in European small-sized States”
14 October, San Marino

Throughout the year the Venice Commission continued its co-operation with Ombudsman institutions, *inter alia* through participation in conferences (co-)organised with/by the Commission’s Ombudsman partner institutions and associations, raising awareness of the Principles for the Protection and Promotion of the Institution of Ombudsman, the so-called “Venice Principles” [CDL-AD\(2019\)005](#)³. Co-operation with Ombudsman institutions was also part of the Joint Programme of the Council of Europe and European Union “Protecting human rights, the rule of law and democracy through shared standards in the southern Mediterranean” (South Programme V) (see Chapter on Ombudsman institutions).



Delegation of the Venice Commission at the Conference “Elements and dynamics of the European legal standard”
18 and 19 April, Gdansk

³ The Venice Principles are the first international set of standards for Ombudsman institutions, adopted in 2019 by the Venice Commission, endorsed by all the statutory bodies of the Council of Europe and set as an international standard for Ombudsman institutions by the United Nations.



Exchange of views at the seminar on “Private Powers and the Rule of Law”
28 and 29 November, Madrid



Pre- and post-electoral activities were (co-)organised by the Venice Commission in co-operation with Central Electoral Commissions. In addition, representatives of the Venice Commission took part in the events organised by other organisations/institutions in the electoral field (see Chapter on Elections).

4. FOLLOW-UP ACTIVITIES

In recent times, the Commission has focused on enhancing the effectiveness of its work by closely monitoring the implementation of its recommendations contained in the Opinions. This is a process of continued genuine dialogue between the Venice Commission in its advisory capacity and national authorities in their capacity of decision-makers. In order to further increase the impact of its recommendations, the Venice Commission, in parallel to follow-up Opinions (that are designed to render more visible, especially to interested stakeholders and observers, the impact which the Commission's recommendations have produced), carries out follow-up activities, often in co-operation with other Council of Europe or EU institutions, in order to help its member states advance in core areas of reforms, as well as with national authorities.

In 2024, follow-up activities saw a significant increase, doubling compared to the previous year. Twenty-four follow up activities were organised in 2024, half of which were organised in co-operation with the Parliamentary Assembly of the Council of Europe (PACE).

Venice Commission members took part in twelve hearings organised by PACE to follow-up on the situation and Opinions adopted in respect of Armenia, Belarus, Spain, Georgia, Hungary, Ukraine, the Russian Federation (see Chapter on *Co-operation within the Council of Europe*).



Exchange of views with state authorities and other stakeholders in order to follow up on the 2023 joint opinion of the Venice Commission and the OSCE/ODIHR on the draft amendments to the Electoral Code of Armenia
25-26 March, Yerevan

Several important follow-up activities took place in co-operation with the European Union, such as exchanges of views with the European Parliament's Committee on Civil Liberties, Justice and Home Affairs (LIBE) as well as the participation of the Venice Commission in EU-led Policy Dialogue organised by EU Delegations in respect of countries having been the object of the Venice Commission's Opinions (see Chapter on *Co-operation with the EU*).



Exchange of views of the Monitoring Committee on the follow-up of the Venice Commission's Opinion on the constitutional amendments adopted by the Hungarian parliament in December 2020
2 October, Strasbourg and online

Other follow-up activities included Venice Commission's participation in the Council of Europe events such as the High-level dialogue III "*Good democratic governance in Ukraine: Achievements, challenges and the way forward in post-war period*", and a working discussion on the Draft law on national minorities organised by the Ministry of Justice of Armenia following the adoption of the related Opinion.

VI. CO-OPERATION WITHIN THE COUNCIL OF EUROPE

In 2024, the Venice Commission continued its fruitful and mutually constructive co-operation with organs and bodies of the Council of Europe. This co-operation has increased in recent years and has proven beneficial in enhancing the impact of the Venice Commission's Opinions. Highlights of this co-operation during the reference year are provided below.

1. COMMITTEE OF MINISTERS

In 2023, the Heads of State and Government, through the Reykjavik Declaration, undertook to strengthen the Venice Commission and raise its profile. In the Report on follow-up to the Reykjavik Declaration "*Reykjavik – one year on*" [CM\(2024\)75](#), the Committee of Ministers welcomed the reinforcement of the Venice Commission, its "Follow-up" Opinions related to core areas of legislative reforms, and its more frequent exchanges with the Committee of Ministers, the Parliamentary Assembly and the Congress.

In the Declaration on the occasion of the 75th anniversary of the Council of Europe [CM\(2024\)74](#), the Presidency of the Committee of Ministers also referred to the reinforcement of the Venice Commission with a view to strengthening the rule of law framework.

On 5 June 2024, Ms Claire Bazy Malaurie, the President of the Venice Commission, presented the 2023 Annual Report of Activities of the Commission to the Committee of Ministers. The President provided an overview of the Opinions and Follow-up Opinions of the Venice Commission, in line with the increase in the three previous years, accompanied by a substantial increase of media interest and references to the Commission's work in press in the Council of Europe member states and beyond. During the second exchange of views with the Committee of Ministers on 6 November 2024, the President discussed the impact of the Commission's work. She also presented the two main projects for 2025: the update of the Rule of Law Checklist and the analysis of legislation on "foreign agents and influence".



Ms Claire Bazy Malaurie, President of the Venice Commission, presenting the 2023 Annual Report of Activities of the Commission to the Committee of Ministers
5 June, Strasbourg

On 25 June 2024 in Strasbourg, in his address to the Parliamentary Assembly as President of the Committee of Ministers, Mr Gabrielius Landsbergis, the Minister for Foreign Affairs of Lithuania, touched on the importance of the European standards developed by the Venice Commission [CM/AS\(2024\)3](#).

On 8 July 2024, the Venice Commission participated in an informal exchange of views with representatives of civil society organisations (CSOs), organised on the initiative of the Chair of the Committee of Ministers' Rapporteur Group on Legal Co-operation (GR-J). The exchange of views liaised the Venice Commission with CSOs making use and giving visibility to the Venice Commission's Rule of Law Checklist [CDL-AD\(2016\)007](#), in view of its planned updating as further implementation of the Reykjavik Declaration.

The Committee of Ministers referred to the work and recommendations of the Venice Commission in several of its decisions and other documents adopted in the context of supervision of the execution of the European Court of Human Rights' judgments, concerning notably the following (groups of) cases⁴:

- *Sejdić and Finci group v. Bosnia and Herzegovina* (Application No. 27996/06)
- *S.Z. group / Kolevi v. Bulgaria* (Applications Nos. 29263/12 and 1108/02)

⁴ See <https://hudoc.exec.coe.int/>.

- *Merabishvili v. Georgia* (Application No. 72508/13)
- *Miroslava Todorova v. Bulgaria* (Application No. 40072/13)
- *Kavala v. Türkiye* (Application No. 28749/18)
- *Yabloko Russian United Democratic Party and Others group* (Application No. 18860/07) *Davydov and Others* (Application No. 75947/11), *OOO Informatsionnoye Agentstvo Tambov-Inform* (Application No. 43351/12), and *Orlovskaya Iskra group* (Application No. 42911/08) *v. Russia*
- *Bakirdzi and E.C. v. Hungary* (Application No. 49636/14)
- *Xero Flor w Polsce sp. z o.o. v. Poland* (Application No. 4907/18)
- *Reczkowicz group* (Application No. 43447/19), *Broda and Bojara* (Application No. 26691/18), *Grzęda* (Application No. 43572/18) and *Wałęsa* (Application No. 50849/21) *v. Poland*
- *Kavala v. Türkiye* (Application No. 28749/18)
- *Bucur and Toma v. Romania* (Application No. 40238/02)
- *Namat Aliyev group v. Azerbaijan* (Application No. 18705/06).

Lastly, Permanent Representatives of several member and observer states participated in the four plenary sessions carried out in Venice in 2024 and held exchanges of views with the Venice Commission.



Exchange of views with Mr Eros Gasperoni, Ambassador of San Marino to the Council of Europe at the plenary session of the Venice Commission
21-22 June, Venice

2. PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE

Representatives of the Parliamentary Assembly of the Council of Europe (PACE) regularly took part in the four 2024 plenary sessions of the Venice Commission and meetings of the Council for Democratic Elections. Following the December 2024 plenary session, the Enlarged Bureau of the Venice Commission held an exchange of views with the Presidential Committee of the Parliamentary Assembly.



PACE delegation and several members of the Venice Commission at the plenary session
7 December, Venice

In 2024, PACE referred to the Venice Commission in 13 of its adopted texts and four election observation reports, with a total number of 83 references overall, concerning: The honouring of obligations and commitments by Bosnia and Herzegovina [Res. 2574](#); Challenges to democracy in Georgia [Res. 2561](#); The honouring of obligations and commitments by Armenia [Res. 2560](#); Ensuring human rights-compliant asylum procedures [Res. 2555](#); Draft Framework Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law [Opinion 303](#); The honouring of obligations and commitments by Albania [Res. 2544](#); Alexei Navalny's death and the need to counter Vladimir Putin's totalitarian regime and its war on democracy [Res. 2540](#); Application by Kosovo* for membership of the Council of Europe [Opinion 302](#); Promoting the revised Code of Good Practice on Referendums [Res. 2538](#); The progress of the Assembly's monitoring procedure (January-December 2023) [Res. 2534](#); A democratic future for Belarus [Res. 2530](#); Challenge, on substantive grounds, of the still unratified credentials of the parliamentary delegation of

Azerbaijan [Res. 2527](#); The theme of migration and asylum in election campaigns and its consequences on the reception of migrants and their rights [Res. 2525](#); as well as Observation of the presidential and parliamentary elections in North Macedonia (24 April and 8 May 2024) [Doc. 16013](#); Observation of the early parliamentary elections in Bulgaria (9 June and 27 October 2024) [Doc. 16077](#); Observation of the parliamentary elections in Georgia (26 October 2024) [Doc. 16079](#); and Observation of the presidential election (20 October and 3 November 2024) and constitutional referendum (20 October 2024) in the Republic of Moldova [Doc. 16074](#).

In 2024, upon requests made by PACE, the Venice Commission adopted eight opinions on Georgia [CDL-AD\(2024\)010](#), [CDL-AD\(2024\)020](#), [CDL-AD\(2024\)021](#), [CDL-AD\(2024\)023](#), Hungary [CDL-AD\(2024\)001](#), Poland [CDL-AD\(2024\)018](#), Spain [CDL-AD\(2024\)003](#), Türkiye [CDL-AD\(2024\)041](#) and the Report on a rule of law and human rights compliant regulation of spyware [CDL-AD\(2024\)043](#).

Representatives of the Commission participated, as legal advisors, in seven PACE election observation missions during the presidential and parliamentary elections in North Macedonia, the early parliamentary elections in Bulgaria, the presidential elections and constitutional referendum in the Republic of Moldova and the parliamentary elections in Georgia.

As mentioned in the chapter on *Reports, conferences and follow-up activities*, PACE was a key partner in 2024 for the organisation of follow-up activities to Venice Commission's Opinions. In this framework, Venice Commission representatives took part in the following events organised by PACE:

- *"Helsinki Dialogue: A democratic future for Belarus"* organised by the Parliamentary Assembly in co-operation with the Finnish Parliament (11-12 January 2024, Helsinki);
- Joint hearing of the Committee on Equality and Non-Discrimination and the Monitoring Committee on *"National minorities in Ukraine: amendments to the Law on national minorities (communities)"* (23 January 2024, Strasbourg);
- Exchange of views of the Committee on Culture, Science, Education and Media on *"Propaganda and freedom of information in Europe"* (23 January 2024, Strasbourg);

- Exchange of views of the Monitoring Committee on the follow-up to the Venice Commission's Opinions on electoral legislation in Armenia [CDL-AD\(2023\)030](#), [CDL-AD\(2021\)025](#) (17 May 2024, Paris, online);
- The Standing Committee's debate on *"Recent challenges to democracy in Georgia"* [CDL-AD\(2024\)020](#) (24 May 2024, Vilnius, online);
- Hearing on *"General Rapporteur for Democracy"* during the plenary meeting of the Committee on Political Affairs and Democracy (30-31 May 2024, Oslo);



Hearing on *"General Rapporteur for Democracy"* during the plenary meeting of the Committee on Political Affairs and Democracy
30-31 May, Oslo

- Joint hearing of the Monitoring Committee and the Committee on Legal Affairs and Human Rights on *"Regulating foreign influence: best practices and European standards"* (27 June 2024, Strasbourg);



Ms Veronika Bílková, Vice-President of the Venice Commission at the PACE joint hearing on *"National minorities in Ukraine"*
23 January, Strasbourg

- Joint hearing of the Committee on Legal Affairs and Human Rights and the Committee on Political Affairs and Democracy on *"Examining the legitimacy and legality of the ad hominem term-limit waiver for the incumbent President of the Russian Federation"* (27 June 2024, Strasbourg);
- Hearing of the Committee on Legal Affairs and Human Rights on the Update of the Venice Commission Rule of Law Checklist [CDL-AD\(2016\)007](#) (10 September 2024, Paris);
- Exchange of views of the Monitoring Committee on the follow-up of the Venice Commission's Opinion on the constitutional amendments adopted by the Hungarian parliament in December 2020 [CDL-AD\(2021\)029](#) and on Opinion on Act LXXXVIII of 2023 on the Protection of National Sovereignty [CDL-AD\(2024\)001](#) (11 September 2024, Paris, online);
- Exchange of views of the Monitoring Committee on the follow-up of the Venice Commission's Opinion on the constitutional amendments adopted by the Hungarian parliament in December 2020 [CDL-AD\(2021\)029](#) (2 October 2024, Strasbourg, online);
- Hearing of the Monitoring Committee on *"The judicial reform process in Poland and the issues raised in this context"* (2-3 December 2024, Tirana).

Two events were co-organised by PACE and the Venice Commission:

On 5-6 March 2024, the Venice Commission, in collaboration with the Parliament of Morocco and PACE, organised in Rabat a training seminar⁵ on the evaluation of laws by Parliament, which aimed to contribute to the development of quality legislation.

On 10 December 2024, the Venice Commission, in collaboration with the Central Election Commission of Albania, PACE and the OSCE Presence in Albania, co-organised the pre-electoral Conference *"Depoliticization of electoral administration - the Need for Professional Electoral Workers"*, which provided a crucial platform to discuss practical aspects related

⁵ This event was organised within the framework of the joint European Union - Council of Europe programme *"Protecting human rights, the rule of law and democracy through shared standards in the Southern Mediterranean"* ([South Programme V](#)) co-financed by the two organisations and implemented by the Council of Europe.

to the implementation of the legal framework ahead of the upcoming parliamentary elections, scheduled for 11 May 2025.



Mr Martin Kuijer, Vice-President of the Venice Commission, at a hearing of the PACE Monitoring Committee on *"The judicial reform process in Poland and the issues raised in this context"* 2-3 December, Tirana

3. CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

In 2024, representatives of the Congress regularly took part in the meetings of the Council for Democratic Elections - the only tripartite body of the Council of Europe, comprising members of the Venice Commission, the Parliamentary Assembly and the Congress of Local and Regional Authorities - and exchanged views with the Venice Commission at its plenary sessions. The President of the Council for Democratic Elections and member of the Congress of Local and Regional Authorities of the Council of Europe had an exchange of views with the Commission in Venice at its October 2024 plenary session.



Mr Stewart Dickson, President of the Council for Democratic Elections from the Congress at the plenary session of the Venice Commission 21-22 June, Venice

In the context of the respect of Human Rights and the Rule of Law at local and regional levels, the Congress of Local and Regional Authorities referred to the Commission's work in 10 of its adopted texts in 2024, with a total number of 49 references overall, concerning notably: Local Elections in the Republic of Moldova (5 November 2023) [Report CPL\(2024\)46-04](#); Local and Regional Authorities as Actors and Guarantors of the Rule of Law [Report CG\(2024\)46-20-AMDT](#), [RES 499\(2024\)](#); Monitoring of the application of the European Charter of Local Self-Government in Montenegro [Report CPL\(2024\)46-03](#); Recurring issues based on assessments resulting from Congress monitoring of the European Charter of Local Self-Government and election observation missions (reference period 2021-2024) [Report CG\(2024\)47-20](#); Monitoring of the application of the European Charter of Local Self-Government in Malta [Report CPL\(2024\)47-04](#); Local elections in Türkiye (31 March 2024) [Report CG\(2024\)47-16](#), [REC 519\(2024\)](#); Monitoring of the application of the European Charter of Local Self-Government in Iceland [Report CPL\(2024\)47-02](#) and the [Congress Thematic Activities contributing to the UN Agenda 2030](#).

4. EUROPEAN COURT OF HUMAN RIGHTS

In 2024, 19 judgments and two decisions of the European Court of Human Rights (ECtHR) contained references to the Commission's work.⁶ In these cases, the Court referred both to general reports of the Venice Commission and country related Opinions. By the end of 2024, the ECtHR had referred to the Venice Commission's documents in 289 judgments and 57 decisions relating to 42 countries: Albania, Armenia, Austria, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Ireland, Iceland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Republic of Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Türkiye, Ukraine and United Kingdom.

At its 141st plenary session (6-7 December 2024), the Venice Commission adopted two *amicus curiae* briefs which had been requested by the ECtHR, pursuant to Rule 44, paragraph 3(a), of the Rules of Court: [CDL-AD\(2024\)037](#) in the case of *Staderini and*

Others v. Italy on the stability of electoral legislation and some features of a mixed electoral system, and [CDL-AD\(2024\)038](#) in the case of *Shevchuk v. Ukraine* on standards on the disciplinary rules concerning presidents and judges of constitutional courts.

Participation in events with a focus on the European Convention on Human Rights

The President of the Venice Commission attended a ceremony and participated in a Conference on *"Strengthening Democracy - 50 years since the re-ratification of the ECHR by Greece and 75 years since the founding of the Council of Europe"*, organised by the Presidency of the Hellenic Republic and the Hellenic Parliament in Athens. The Venice Commission's President was a panellist of the session entitled *"National courts and the disruption of democracy"* and delivered a speech on *"The experience of the Venice Commission for the restoration of democracy in the States of Eastern Europe"* (31 October-1 November 2024, Athens).

Furthermore, the President took part in the 15th Warsaw Human Rights Seminar on the *"Role of the European Convention on Human Rights and the European Court of Human Rights in strengthening democratic institutions"* on the 75th anniversary of the Council of Europe and the 65th anniversary of the ECtHR (Warsaw, 10 December 2024).



Ms Claire Bazy Malaurie, President of the Venice Commission at the XV Warsaw Human Rights Seminar 10 December, Warsaw

⁶ See <https://hudoc.echr.coe.int/eng>

5. COUNCIL OF EUROPE COMMISSIONER FOR HUMAN RIGHTS

The Commissioner for Human Rights of the Council of Europe continued to refer to the work of the Venice Commission. Thus, references to the Venice Commission's Opinions were made in the Memorandum on freedom of expression and of the media, human rights defenders and civil society in Türkiye [CommHR\(2024\)16](#), as well as in the following documents: Recommendation *"Protecting the Defenders: Ending repression of human rights defenders assisting refugees, asylum seekers and migrants in Europe"* [CommHR\(2024\)11](#), Follow-up Report on 2017 Issue Paper *"Sexual and reproductive health and rights in Europe: Progress and Challenges"* [CommHR\(2024\)12](#), and Issue Paper on *"Human Rights and Gender Identity and Expression"* [CommHR\(2024\)17](#). In his online speech at the Armenian Ombuds Conference *"Ombuds Institutions / NHRIs amid Turbulent Times: Resilience and Challenges"*, the Council of Europe's new Commissioner for Human Rights referred to *"The Venice Principles"*, while in other documents such as his letters addressed to Georgia [CommHR\(2024\)21](#) and [CommHR\(2024\)39](#), the Slovak Republic [CommHR\(2024\)24](#), Azerbaijan [CommHR\(2024\)51](#), and Italy [CommHR\(2024\)60](#), he referred notably to the standards and guidelines developed by the Venice Commission.

6. CO-OPERATION WITHIN THE DIRECTORATE GENERAL OF HUMAN RIGHTS AND RULE OF LAW (DGI)

In 2024, six Opinions were prepared jointly with DGI on Armenia [CDL-AD\(2024\)028](#), [CDL-AD\(2024\)031](#), Poland [CDL-AD\(2024\)029](#), [CDL-AD\(2024\)018](#), Bulgaria [CDL-AD\(2024\)004](#), [CDL-AD\(2024\)005](#). The preparation of joint Opinions continued to increase the Council of Europe's influence and facilitated the sharing of expertise. It also enhanced the impact of the recommendations made and further consolidated the Organisation's efforts in providing a multidimensional approach to different problems.

Committee on Artificial Intelligence (CAI)

The Venice Commission representative participated in the 9th (23-26 January); 10th (11-14 March); 11th (17-19 September) and 12th (26-28 November) plenary meetings of the Committee on Artificial Intelligence. An exchange of views with a representative of the Venice Commission took place on 13 March 2024.

Group of States against Corruption (GRECO)

In 2024, GRECO referred to the Commission's recommendations in its reports on Andorra [GrecoEval5Rep\(2023\)7](#), Armenia [GrecoRC4\(2024\)11](#), France [GrecoRC4\(2023\)20](#), Georgia [GrecoEval5Rep\(2023\)3](#) and [GrecoRC4\(2024\)2](#), Malta [GrecoRC5\(2023\)7](#), Republic of Moldova [GrecoEval5Rep\(2023\)4](#), Montenegro [GrecoRC5\(2024\)10](#), and Romania [GrecoRC4\(2024\)5](#).

On 14 October 2024, a GRECO Bureau member participated in the Conference *"Aspects of Constitutionalism in European small-sized States"* organised by the Ministry of Foreign Affairs of San Marino and the Venice Commission in San Marino.

Consultative Council of European Judges (CCJE)

In 2024, CCJE referred to the Commission's Opinions and Reports in its [Opinion No. 27 \(2024\)](#) on the disciplinary liability of judges, and in the [Opinion](#) of the CCJE Bureau following a Protest Declaration of the Slovenian Association of Judges concerning the failure to enforce a decision of the Constitutional Court of Slovenia aimed at remedying the established unconstitutionality regarding substantial differences between the salaries of judges and other public officials.

Consultative Council of European Prosecutors (CCPE)

In 2024, CCPE referred to the Commission's Opinions and Reports in its [Opinion No. 19 \(2024\)](#) on managing prosecution services to ensure their independence and impartiality, and in the [Opinion](#) of the CCPE Bureau following a letter of the Deputy Prosecutor General and Temporary Head of the State Prosecutor's Office of Slovenia, acting on behalf of the Slovenian Prosecutor's Office and Slovenian Association of State Prosecutors, concerning the failure to enforce a

decision of the Constitutional Court of Slovenia aimed at remedying the identified unconstitutionality regarding significant disproportions between the salary grades of judges' positions compared to the salary grades of executive and legislative branch functions.

Consultative Committee of the Convention for the Protection of Individuals with regard to Automated Processing of Personal Data

On 5 November 2024, the Venice Commission took part in the 47th plenary meeting of the Committee of Convention 108 (T-PD) and made a presentation on the update of the Rule of Law Checklist [CDL-AD\(2016\)007](#), which was followed by an exchange of views on the matter with the Committee.



At the 47th plenary of the of the Committee of Convention 108 (T-PD)
5 November, Strasbourg

7. CO-OPERATION WITH THE DIRECTORATE GENERAL OF DEMOCRACY AND HUMAN DIGNITY (DGII)

In 2024, two Opinions were prepared jointly with DGII on Armenia [CDL-AD\(2024\)019](#), [CDL-AD\(2024\)030](#).

Steering Committee on Democracy (CDDEM)

On 13 May 2024, the Venice Commission President participated in the 1st plenary meeting of the Steering Committee on Democracy held in Strasbourg. She gave a brief overview of the Commission's mission, background, working methods, added value, and emphasised the Commission's interpretation of the relationship between democracy, the rule of law and human rights.



Exchange of views during the first meeting of the Steering Committee on Democracy
13 May, Strasbourg

European Commission against Racism and Intolerance (ECRI)

The country reports adopted by ECRI in 2024 on [Andorra](#) and [Malta](#) contained references to the Commission's work.

Advisory Committee on the Framework Convention for the Protection of National Minorities (FCNM)

In its country reports on [Azerbaijan](#) and [Bosnia and Herzegovina](#), the Advisory Committee on the FCNM referred to the Venice Commission's Opinions and standards.

VII. CO-OPERATION WITH THE EUROPEAN UNION AND OTHER INTERNATIONAL ORGANISATIONS

In 2024, the Venice Commission continued co-operation with its partners, namely the European Union, OSCE, the UN, OAS and other international organisations.

1. EUROPEAN UNION

In 2024, co-operation with the European Union (EU) was further strengthened and the EU continued to refer frequently to the work of the Venice Commission. As in previous years, representatives of the European Union participated in all Venice Commission plenary sessions, with draft Opinions being sent to them for comments ahead of the plenary sessions. As is standard practice, European Union delegations continued to be consulted during on-site visits for the preparation of Opinions.

Important follow-up activities to Venice Commission's Opinions took place in co-operation with the European Union (see Chapter on Reports, Conferences and Follow-up activities).

Exchange of views

The President of the Venice Commission, Ms Claire Bazy Malaurie, met with Mr Miroslav Lajčák, the EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkans regional issues, on 5 June 2024 in Strasbourg.

European Council / Council of the European Union

The Belgian EU Presidency's [Statement on recent developments in Bosnia and Herzegovina](#) referred to the recommendations of the Venice Commission in the electoral field.



Ms Claire Bazy Malaurie, President of the Venice Commission and Mr Miroslav Lajčák, EU Special Representative for the Belgrade-Pristina Dialogue and other Western Balkan regional issues
5 June, Strasbourg

In 2024, Council of the European Union decisions on Enlargement concerning Albania, North Macedonia, Bosnia and Herzegovina, Georgia, and Ukraine referred to the Venice Commission's work.⁷

In the conclusions of the Council of the EU on the EU priorities for co-operation with the Council of Europe in 2025-2026,⁸ the co-operation with the Venice Commission was mentioned with a view to protecting the rule of law, fostering electoral reforms, as well as protecting and promoting human rights of persons belonging to national minorities.

In the joint press statement, following the 8th Association Council meeting between the EU and Georgia held on 20 February 2024 in Brussels,⁹ the EU called on Georgia to finalise electoral reform in line with the Venice Commission and OSCE/ODIHR recommendations.

⁷ <https://data.consilium.europa.eu/doc/document/ST-16983-2024-INIT/en/pdf>

⁸ <https://data.consilium.europa.eu/doc/document/ST-17028-2024-INIT/en/pdf>

⁹ <https://www.consilium.europa.eu/en/press/press-releases/2024/02/21/joint-press-statement-following-the-8th-association-council-meeting-between-the-eu-and-georgia/>

During the 8th annual meeting of the Association Council under the EU-Moldova Association Agreement held on 21 May 2024 in Brussels,¹⁰ the EU referred to the recommendations of the Venice Commission as an indispensable condition of the EU integration process.

European Commission

In 2024, the European Commission (EC) continued to refer extensively to the work of the Venice Commission notably when addressing rule of law issues in EU member states, candidate countries and beyond.

Following the Venice Commission's contributions to the EU 2024 Rule of Law Report,¹¹ 50 different Opinions, reports and studies of the Venice Commission were referred to in 19 (out of 31) country chapters of the Report. The respective recommendations for Spain, Malta and Romania also mentioned the Venice Commission's work.

In the Statement by the High Representative with the European Commission on the final adoption of the law on transparency of foreign influence in Georgia,¹² the EU referred to the Venice Commission's legal arguments on the matter.

The European Commission's 2024 Communication on EU enlargement policy contains references to more than 80 opinions and reports of the Venice Commission.

Furthermore, the EC referred to the Venice Commission's texts on topics in a number of Communications and reports.¹³

Participation in follow-up activities to Venice Commission's Opinions

The President of the Venice Commission participated in the Ministerial Conference "*Negotiations on the Accession of the Western Balkan Countries to the European Union (Negotiation Chapter 23 – Judiciary,*



Participants of the Ministerial Conference "*Negotiations on the Accession of the Western Balkan Countries to the European Union*"
27 June, Sarajevo

Fight against Corruption and Fundamental Rights) and the Remaining Steps to this Phase", held in Sarajevo on 27 June 2024 and organised by the Ministry of Justice of Bosnia and Herzegovina, the Delegation of the European Union in Bosnia and Herzegovina Office and the Directorate for European Integration.

In July 2024, the Venice Commission was represented online at the "*Policy dialogue on the draft law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina*", following the Venice Commission Interim Follow-up Opinion to previous Opinions on the High Judicial and Prosecutorial Council [CDL-AD\(2024\)009](#). It also participated in the 3RF (Reform, Recovery and Reconstruction Framework) Justice Working Group meeting following its Opinion on the draft law on the Administrative Judiciary in June 2024.

European External Action Service (EEAS)

In 2024, the EEAS referred to the Venice Commission in press releases concerning Albania, Bosnia and Herzegovina, Georgia, Kosovo, Kyrgyzstan, the Republic of Moldova and Ukraine.¹⁴

European Parliament (EP)

In 2024, the EP referred to the Venice Commission's work in its regulations and resolutions on the following subjects: the [Rule of Law situation in the European Union](#); the [Situation of fundamental rights in the EU](#); [EU future enlargement](#); [Extending the list of EU crimes to hate speech and hate crime](#); [Introducing the screening of third-country nationals at the external borders](#); the [Ukraine Loan Cooperation](#)

¹⁰ <https://www.consilium.europa.eu/en/press/press-releases/2024/05/21/the-european-union-and-the-republic-of-moldova-reaffirm-strong-ties-at-the-8th-association-council-meeting/>

¹¹ https://commission.europa.eu/publications/2024-rule-law-report-communication-and-country-chapters_en

¹² https://ec.europa.eu/commission/presscorner/detail/en/statement_24_2945

¹³ The protection of the Union budget, the Mid-Term Evaluation of the Recovery and Resilience Facility: Strengthening the EU through ambitious reforms and investments, 2024 EU Justice Scoreboard, the implementation of macro-financial assistance to third countries in 2023, the visa suspension mechanism

¹⁴ https://www.eeas.europa.eu/search_en?fulltext=%22Venice%20commission%22&created=2024-01-01&created_1=2024-12-31

Mechanism and exceptional macro-financial assistance to Ukraine; the Reform and Growth Facility for the Western Balkans; the Ukraine Facility.

The following country-specific EP Resolutions and other documents also referred to the Venice Commission's work: [Situation in Serbia following elections](#); [Planned dissolution of key anti-corruption structures in Slovakia and its implications on the Rule of Law](#); [The democratic backsliding and threats to political pluralism in Georgia](#); [Continued repression of civil society and independent media in Azerbaijan](#); [Strengthening Moldova's resilience against Russian interference ahead of the upcoming presidential elections and a constitutional referendum on EU integration](#); [Georgia's worsening democratic crisis following the recent parliamentary elections and alleged electoral fraud](#); [Situation in Azerbaijan, violation of human rights and international law and relations with Armenia](#).

Exchange of views

On 18 April 2024, an exchange of views on the Spanish Amnesty Law was held between a representative of the Venice Commission and the Committee on Civil Liberties, Justice and Home Affairs (LIBE) of the European Parliament, as a follow-up to the [Opinion on the rule of law requirements of amnesties, with particular reference to the parliamentary bill of Spain "on the organic law on amnesty for the institutional, political and social normalisation of Catalonia"](#), adopted by the Venice Commission in March 2024.

On 12 December 2024, the President of the Venice Commission participated in an exchange of views on *"The Situation of the Rule of Law in the EU in 2024 - how to enhance Union Values in the Democracy Rule of Law and Fundamental Rights (DRF) mechanism"* at the Interparliamentary Committee Meeting of the LIBE Commission of the European Parliament, held in Brussels.



Ms Claire Bazy Malaurie, President of the Venice Commission at a hearing at the Interparliamentary Committee Meeting of the LIBE Commission of the European Parliament
12 December, Brussels

Joint European Union and Council of Europe Programmes

In 2024, the Venice Commission continued its co-operation with several countries and regions within the framework of the following joint European Union/ Council of Europe programmes:

- Joint European Union/Council of Europe Programme *"Horizontal Facility for the Western Balkans and Türkiye"* (Horizontal Facility III) 2023-2026 – [The Expertise Co-ordination Mechanism \(ECM\)](#);
- Joint European Union/Council of Europe Programme *"Partnership for Good Governance"* 2023-2027 – [The Quick Response Mechanism \(QRM\)](#);
- Joint European Union/Council of Europe Programme *South Programme V "Protecting human rights, rule of law and democracy through shared standards in the Southern Mediterranean"* 2022-2025;
- Joint European Union/Council of Europe Programme *"Central Asia Rule of Law Programme"* 2020-2024, Action *"Promoting Efficient Functioning of State Institutions and Public Administration in Central Asia"*;
- Joint European Union/Council of Europe Programme *"Support to democratic reforms, human right mechanisms and rule of law principles in Latin America, Central Asia and Mongolia"* 2024-2026.

2. OSCE/ODIHR

OSCE/ODIHR

In 2024, the Venice Commission and ODIHR continued their exchange of views and co-ordination, notably at the meetings of the Council for Democratic Elections and in the framework of the missions of electoral observation in which the Parliamentary Assembly has participated alongside ODIHR, and in which the Venice Commission has taken part in the capacity as legal advisor to PACE.

The Venice Commission's Opinions and recommendations were referred to in the final reports published by OSCE/ODIHR in 2024 on [Georgia](#), [Mongolia](#), [Croatia](#), [Slovakia](#), [North Macedonia](#), [Bulgaria](#), [Serbia](#), [Switzerland](#), [Poland](#), [Republic of Moldova](#), [Slovakia](#), [Serbia](#), [Spain](#), and [Uzbekistan](#).



Participants of the Annual Implementation Meeting of the Declaration of Principles for International Election Observation hosted by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) 21 and 22 November, Gdansk

The Commission's texts were mentioned in 14 OSCE/ODIHR Opinions on Cyprus, Georgia, Republic of Moldova, Montenegro, Poland, Serbia, Slovakia, Ukraine, Uzbekistan.

On 2 July 2024, the Venice Commission participated in the Regional Conference on "*Money in Politics in the Era of Globalization and Digitalization*", jointly organised by the Central Electoral Commission of the Republic of Moldova, the International Institute for Democracy and Electoral Assistance (International IDEA), the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the Council of Europe, the International Foundation for Electoral Systems (IFES), the National Democratic Institute (NDI), the International Republican Institute (IRI) and the Westminster Foundation for Democracy (WFD), and intervened *inter alia* on the impact of emerging trends on monitoring and oversight of money in politics.

On 21-22 November, the Venice Commission participated in the Annual Implementation Meeting of the Declaration of Principles for International Election Observation which was hosted by the OSCE Office for Democratic Institutions and Human Rights (ODIHR).

3. ORGANIZATION OF THE AMERICAN STATES (OAS)

The Venice Commission and the OAS entered in a co-operation agreement in 2020, following up to the Memorandum of Understanding concluded between the OAS and the Council of Europe on 19 September 2011.

In December 2024, the OAS acquired the status of observer to the Council for Democratic Elections, upon an invitation by the latter.

At the 2024 December plenary session, the Venice Commission held an exchange of views with the Secretary General of the OAS.

In 2024, the Commission adopted, at the request of the OAS, two Opinions on the legal framework for Haiti's elections as well as a Report on election observers as human rights defenders.

The General Secretariat of the OAS requested the Commission to analyse the legislative framework for Haiti's elections, along with the relevant recommendations of past OAS Electoral Observation Missions and help identify legislative solutions that could serve as a basis for conducting the next and future electoral processes in Haiti. In this context, delegations from the Venice Commission were welcomed by OAS at its headquarters in Washington DC in May and October 2024, respectively, and held meetings with the OAS Secretary General and Assistant Secretary General, the OAS Permanent Council, a high-level delegation from the Haitian authorities including the Presidential Transitional Council and the Steering Committee of the National Conference, members of the Haitian civil society, as well as Haitian and foreign experts.



Mr Luis Almagro, Secretary General of the Organisation of American States, meeting a delegation of the Venice Commission 13-15 May, Washington DC

In this framework, the Venice Commission also participated in the regular meeting of the Permanent Council of the OAS on 6 June, as well as in an online meeting with the Presidential Transitional Council (CPT) of Haiti and with a delegation from the OAS on 6 September 2024.

At the October 2024 meeting, the participants adopted conclusions concerning the next steps of their co-operation. In particular, they agreed that the draft constitution would be sent by the Steering Committee for the National Conference and Constitutional Reform to the Venice Commission for an Opinion as soon as it is finalised; the Venice Commission declared its availability to assess the legislative framework for the constitutional referendum. The representatives of Haiti and the Venice Commission, with the assistance of the OAS, would stay in regular contact to establish a timetable for the successive stages in the adoption of the new constitution.

The Interim Opinion on possible constitutional and legislative solutions to conduct future electoral processes was adopted by the Venice Commission in June 2024, and the Final Opinion was adopted in December 2024.

The OAS had also asked the Venice Commission to prepare a Report on electoral observers as human rights defenders on three key issues: first, on the fundamental civil and political rights defended by international and non-partisan citizen observers as human rights defenders; second, on the international instruments that safeguard these electoral observers in their work; and third, on the normative elements that states can incorporate into their national legislation to ensure appropriate protections for both non-partisan citizen observers and international observers. The report as adopted by the Venice Commission in December 2024.



Message from Luis Almagro, Secretary General of the Organization of American States

"The role of the Venice Commission as the Council of Europe's advisory body on constitutional matters is an important one, supporting, as it does, the maintenance of common standards in its member states in matters concerning democracy, human rights and the rule of law.

The impact of the Commission's work however extends well beyond the countries of the Council of Europe, providing insight into and guidance on constitutional and legal questions across the globe. That the authority of the Venice Commission in such matters is well recognized, is not accidental. The professionalism of the Commission, the deep knowledge of its members and the impartiality of their findings, are key elements of this success. The Commission's adherence to the highest legal standards has made it an institution that we look to for guidance on important issues. In the Americas, past Opinions by the Commission have contributed to the development of inter-American law and have provided meaningful inputs on critical matters on the inter-American agenda.

The collaboration between the Organization of American States and the Venice Commission is a true example of successful collaboration between multilateral organizations.

Congratulations on your achievements in 2024 and we look forward to our continued partnership in 2025 and beyond".

4. UNITED NATIONS

On 25 June 2024, the President of the Venice Commission, Ms Claire Bazy Malaurie, had a meeting in Strasbourg with UN High Commissioner for Human Rights, Mr Volker Türk, to discuss potential synergies and avenues for future co-operation.



Ms Claire Bazy Malaurie, President of the Venice Commission and Mr Volker Türk, UN High Commissioner for Human Rights
25 June, Strasbourg

The **International Law Commission** referred to the Venice Commission's Report on the rule of law [CDL-AD\(2011\)003rev](#) in the Report at the 75th session (29 April–31 May and 1 July–2 August 2024), as well as in the *"Second report on the settlement of disputes to which international organizations are parties"*.

The reports to the **UN Human Rights Council** on the Special Rapporteur on the independence of judges and lawyers' visit to Montenegro,¹⁵ the Special Rapporteur on the situation of human rights defenders' visit to Georgia¹⁶ and the Special Rapporteur on the promotion and protection of human rights while countering terrorism's visit to Bosnia and Herzegovina¹⁷ referred to the Venice Commission's Opinions. References to Venice Commission's recommendations were also made in the UN Human Rights Council's Resolution on the Situation of human rights in Belarus.¹⁸

15 https://digitallibrary.un.org/record/4045063/files/A_HRC_56_62_Add.1-EN.pdf

16 https://digitallibrary.un.org/record/4045556/files/A_HRC_55_50_Add.2-EN.pdf

17 https://digitallibrary.un.org/record/4045293/files/A_HRC_55_48_Add.1-EN.pdf

18 https://digitallibrary.un.org/record/4045895/files/A_HRC_RES_55_27-EN.pdf

Several references were made to the Venice Principles [CDL-AD\(2019\)005](#), notably in the UN Secretary-General's Report on *"The role of Ombudsman and mediator institutions in the promotion and protection of human rights, good governance and the rule of law"* and the Report of the **UN Third Committee** on the *"Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms"*.

The Report of the **Office of the UN High Commissioner for Human Rights** on the *"Rights of persons belonging to national or ethnic, religious and linguistic minorities"* referred to the Venice Commission's Opinions.

The Opinions adopted by the **UN Working Group on Arbitrary Detention** at its ninety-ninth session¹⁹ recalled the Venice Commission's Opinion on the compatibility with European standards of certain criminal law provisions used to prosecute peaceful demonstrators and members of the *"Coordination Council"* in Belarus [CDL-AD\(2021\)002](#).

5. ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

The Venice Commission participated in the 2024 OECD Global Forum on Building Trust and Reinforcing Democracy,²⁰ and made a presentation on *"The new frontier of democracy and prosperity: Promoting the rule of law by providing access to justice for all"* (21 October 2024, Milan).



The Venice Commission participated in the 2024 OECD Global Forum on Building Trust and Reinforcing Democracy
21 October, Milan

19 https://digitallibrary.un.org/record/4065628/files/A_HRC_WGAD_2024_3-EN.pdf

20 <https://www.oecd-events.org/global-forum-on-democracy/en>

6 . OTHER NATIONAL AND INTERNATIONAL ORGANISATIONS/BODIES /CSOs

The Centre of Political and Constitutional Studies of Spain (CEPC) and the Venice Commission co-organised an event to present the Report on Bicameralism [CDL-AD\(2024\)007](#) adopted by the Venice Commission in March 2024 (29 May 2024, Madrid). In addition, the Venice Commission and the Centre for Constitutional and Political Studies (CEPC), co-organised an international seminar on “Private Powers and the Rule of Law” (28-29 November 2024, Madrid).



At the Centre of Political and Constitutional Studies of Spain (CEPC) following and international seminar on “Private Powers and the Rule of Law” 28-29 November, Madrid

The Venice Commission participated in the Cyprus Forum 2024 co-organised by the NGO Oxygen for Democracy and the University of Cyprus, in collaboration with the Delphi Economic Forum in Greece (3-4 October 2024, Nicosia).²¹

The President of the Venice Commission participated in the Belgrade Security Conference 2024,²² in a panel on “The Judiciary as the Guardian of Fundamental Values: Keeping the Rule of Law at the Center of the EU Accession Policy” (18-20 November 2024, Belgrade).



The President of the Venice Commission at the Belgrade Security Conference 2024 18-20 November, Belgrade

²¹ <https://cyprusforum.cy/events/event-2024/>

²² <https://belgradesecurityconference.org/>

VIII. ELECTIONS

In 2024, the Venice Commission adopted six Opinions and three documents of a general character in the field of elections. It also pursued its co-operation with the Parliamentary Assembly as legal advisor during election observation missions. The Venice Commission organised pre- or post- electoral workshops aimed at improving electoral practice in co-operation with Central Electoral Commissions and continued to update the VOTA database on electoral legislation.

1. COUNCIL FOR DEMOCRATIC ELECTIONS OF THE COUNCIL OF EUROPE

The Council for Democratic Elections is in charge of electoral issues dealt with by the Venice Commission. It is the only tripartite body of the Council of Europe, comprising members of the Venice Commission, the Parliamentary Assembly and the Congress of Local and Regional Authorities.



President of the Council for Democratic Elections, Mr Stewart Dickson (Congress of Local and Regional Authorities), Vice-President Mr Srdjan Darmanovic (Venice Commission) and Mr Pierre Garrone, Secretary for the Council for Democratic Elections

The Council for Democratic Elections met in Venice in 2024 before the June and December plenary sessions to examine the Venice Commission’s draft Opinions and Reports on elections and political parties before their submission to the plenary session. The Opinions

in the electoral field concerned: Georgia (two Opinions, including one on the abolition of gender quotas [CDL-AD\(2024\)010](#) and [CDL-AD\(2024\)023](#)); the Republic of Moldova (implementation of the postal vote [CDL-AD\(2024\)022](#)) and Haiti (possible constitutional and legislative amendments to conduct future electoral processes [CDL-AD\(2024\)017](#) and [CDL-AD\(2024\)042](#)). One *amicus curiae* brief was prepared for the European Court of Human Rights on the stability of electoral legislation and some features of a mixed electoral system in Italy [CDL-AD\(2024\)037](#). The documents of a general character included two interpretative declarations of the Code of good practice in electoral matters (on the stability of electoral law [CDL-AD\(2024\)027](#) and on digital technologies and artificial intelligence [CDL-AD\(2024\)044](#) as well as a Report on election observers as human rights defenders [CDL-AD\(2024\)043](#).

Furthermore, the Council for Democratic Elections held an exchange of views with a representative of the Organization of American States (OAS). After having been invited by the Council, the OAS became an observer to the Council for Democratic Elections as of December 2024.



Exchange of views with different stakeholders in the framework of the preparation of the Opinions on possible constitutional and legislative solutions to conduct future electoral processes in Haiti
13-15 May, Washington DC

2. ELECTION OBSERVATION

In accordance with the co-operation agreement signed between the Parliamentary Assembly and the Commission on 4 October 2004, the Venice Commission regularly provides legal assistance to the election observation missions of the Parliamentary Assembly. In this context, it observes the opening of the ballot, the voting procedure and the count. The Venice Commission drafts a legal memorandum before each observation mission and is involved in discussions with the heads of delegations.

These missions are a good opportunity for the Commission to strengthen co-operation with the Parliamentary Assembly, with the ODIHR and other international organisations involved in election observation and with national Election Management Bodies, to increase the Commission's visibility in the electoral environment and to gather information on shortcomings in the electoral legislation and its implementation.

The following election observation missions took place in 2024:

- North Macedonia - presidential election, first round, of 24 April 2024; and second round of presidential election and parliamentary elections of 8 May 2024;
- Bulgaria – early parliamentary elections of 9 June 2024; early parliamentary elections of 27 October 2024;
- The Republic of Moldova – republican referendum and presidential election, first round on 20 October 2024; second round on 3 November 2024;
- Georgia - parliamentary elections of 26 October 2024.



Polling station in the framework of the PACE election observation mission to the Republic of Moldova
20 October

A delegation of the Venice Commission travelled to Mexico City in the framework of the 2024 federal electoral process of Mexico and participated both in the Electoral Justice Forum for Foreign Visitors organised by the Electoral Tribunal of the Federal Judiciary (TEPJF) on 28 and 29 May 2024, and in the Foreign Visitors Program organised by the National Electoral Institute (INE) and the TEPJF from 30 May to 2 June 2024.



Federal electoral process of Mexico

3. VOTA DATABASE

The VOTA database on electoral legislation, which continues to be managed jointly by the Venice Commission and the Electoral Tribunal of the Federal Judiciary of Mexico (TEPJF), is updated regularly. In 2024, 31 new documents (national laws and constitutional excerpts, legal Opinions and Reports of the Venice Commission) were indexed according to the electoral thesaurus and included into the database.

4. PRE- AND POST-ELECTORAL ACTIVITIES

The Venice Commission organised the following pre- and post-electoral activities, in co-operation with Central Electoral Commissions (CECs):

A post-election workshop for members and staff of the State Election Commission of North Macedonia and of several Municipal Election Commissions of the city of Skopje and surrounding areas. The workshop, which brought together election officials, representatives of the Venice Commission and international experts, focussed on lessons learned from the 2024 elections, in particular in the field of election dispute resolution.



Post electoral activity at the State Election Commission in North Macedonia
5 November, Skopje

A webinar to facilitate the preparation for the republican referendum and the presidential elections in the Republic of Moldova. The webinar brought together over 70 participants, including representatives from the CEC and district electoral councils. This event allowed for discussing practical aspects related to the implementation of the legal framework ahead of these two ballots.

A Conference on the topic of the *“Depoliticization of electoral administration - the Need for Professional Electoral Workers”* in Albania. The Conference, (also in collaboration with the Parliamentary Assembly of the Council of Europe’s project *“Strengthening Elections’ Integrity in Albania (SEI)”*, and the OSCE Presence in Albania) brought together over 50 participants, including representatives from the CEC, political parties, and civil society organisations. The event provided a platform to discuss practical aspects related to the implementation of the legal framework ahead of the upcoming parliamentary elections, scheduled for 11 May 2025.



At the conference on “*Depoliticization of electoral administration - the Need for Professional Electoral Workers*” in co-operation with the PACE and the OSCE
Presence in Albania
10 December, Tirana

A pre-electoral workshop at the request of the Central Election Commission of Bosnia and Herzegovina (BiH). The workshop took place in a particular context of introducing new digital technologies (biometric identification and authentication of voters, electronic transfer of results from the polling stations to the CEC, ballotscanning, and video surveillance of the counting process) for local elections scheduled in October 2024. The BiH election officials, representatives of the Venice Commission and international experts discussed the Council of Europe standards and guidelines, Venice Commission Opinions and Reports, and the experiences of various countries.



A pre-electoral workshop at the Central Election Commission of Bosnia and Herzegovina
4-5 September, Sarajevo

5. OTHER CO-OPERATION ACTIVITIES

In addition, representatives of the Venice Commission took part in the events organised by other organisations/institutions in the electoral field.

The Venice Commission participated in the Annual Implementation Meeting of the Declaration of Principles for International Election Observation, which took place in Gdansk on 21 and 22 November 2024. It also took part in the High-level dialogue III “*Good democratic governance in Ukraine: Achievements, challenges and the way forward in post-war period*” with the participation of a high-level delegation of the Ukrainian authorities.



Participants of the High-level dialogue III
“*Good democratic governance in Ukraine: Achievements, challenges and the way forward in post-war period*”
3 July, Strasbourg

Among other issues discussed at this meeting in Strasbourg on 3 July 2024, the restrictions to the right to be elected of persons associated with political parties whose activities are prohibited by law were addressed. A representative of the Venice Commission took part in a conference on “*The Internationalisation of the law on political elections*”, organised by the University of Grenoble on 27-28 June 2024.

IX. CONSTITUTIONAL JUSTICE

1. JOINT COUNCIL ON CONSTITUTIONAL JUSTICE (JCCJ)

Over the years, the Venice Commission has established close co-operation with constitutional courts and equivalent bodies in its member and observer states. These courts usually meet with the Venice Commission once a year within the framework of the Joint Council on Constitutional Justice (JCCJ).

In November 2024, the 21st meeting of the JCCJ was hosted by the Constitutional Court of Armenia. The meeting brought together about 35 key representatives of constitutional courts and councils under the Venice Commission framework, fostering collaboration on constitutional justice across member institutions.



21st meeting of the JCCJ hosted by the Constitutional Court of Armenia
November, Yerevan

The 21st meeting of the JCCJ followed the international high-level conference titled “*Respect for the decisions of constitutional courts*” held in Yerevan, which aimed to underscore the paramount importance of constitutional court decisions in safeguarding the rule of law and human rights across national and international jurisdictions.



At the international high-level conference on “*Respect for the decisions of constitutional courts*”
November, Yerevan

2. WORLD CONFERENCE ON CONSTITUTIONAL JUSTICE (WCCJ)

The WCCJ brings together 122 constitutional courts and councils and supreme courts in Africa, the Americas, Asia, Australia/Oceania and Europe. In 2024, the WCCJ secretariat received a membership request from the Constitutional Court of Liechtenstein which became the 122nd member. Moreover, the WCCJ Bureau decided to recommend to the WCCJ General Assembly to admit the Constitutional Court of Suriname which applied for membership in 2023.

The WCCJ promotes constitutional justice as a key element for democracy, the protection of human rights and the rule of law (Article 1.1 of the [WCCJ Statute](#)). The main purpose of the WCCJ is to facilitate judicial dialogue between constitutional court judges on a global scale through the organisation of regular congresses, by participating in regional conferences and seminars, by promoting the exchange of experiences and case-law and by offering good services to members at their request (Article 1.2 of the [WCCJ Statute](#)). The Commission provides secretarial assistance to the WCCJ.

On 16 March 2024, the Bureau of the WCCJ, which steers the WCCJ’s activities, held its 21st meeting in Venice. At this meeting, among other questions, the Bureau adopted a [Resolution](#) aimed at co-ordination of the efforts of the members of the World Conference to enhance the comprehensive accountability for violations of international law.



WCCJ bureau members.
March, Venice

The Bureau also decided that the topic of the 6th WCCJ Congress will be *“Human rights of future generations”*, as proposed by the host court, the Constitutional Tribunal of Spain. It also discussed the preparation of the 6th WCCJ Congress to be held in Madrid in October 2025.

The Venice Commission’s also participated in the annual events of different linguistic and regional groups of the WCCJ. In May 2024, the President of the Venice Commission, took part in the 19th Congress of the Conference of European Constitutional Courts, held in Chisinau, Republic of Moldova. One of the central topics of the conference was *“The forms and limits of judicial deference: the experience of the constitutional courts”* for which the Venice Commission had prepared a special bulletin.



President of the Venice Commission at
the 19th Congress of the Conference of
European Constitutional Courts
May, Chisinau

In June 2024, in Paris, France, the Venice Commission participated in Conference of the Heads of Institutions of the Association of the French-speaking Constitutional Courts (ACCF) on the topic *“Constitutional protection of the freedom of expression”*. In July 2024, the Venice Commission

participated in the 6th Assembly of the Conference of Constitutional Courts of Portuguese-speaking Countries, held in Maputo, Mozambique, under the theme *“Constitutional jurisdictions and other powers”*.

In September 2024, the Venice Commission participated in the 6th Congress of the Association of Asian Constitutional Courts (AACC) which took place in Bangkok, Kingdom of Thailand under the title *“The Constitutional Courts and Equivalent Institutions in Strengthening Constitutional Justice for Sustainable Society”*.



Secretary of the Venice Commission at the 6th Congress
of the Association of Asian Constitutional Courts (AACC)
18-20 September, Bangkok

In October 2024, the President Emeritus and Special Representative of the Venice Commission participated in the 7th Congress of the Conference of African Constitutional Jurisdictions (CJCA), held in Victoria Falls, Zimbabwe.



Gianni Buccicchio, President Emeritus and Special
Representative of the Venice Commission at the
7th Congress of the Conference of African Constitutional
Jurisdictions (CJCA)
October, Victoria Falls

In October 2024, the Venice Commission participated in the first anniversary of the Balkan Constitutional Courts Forum on *“Evolutions in contemporary constitutional justice – The example of the Balkan region”*, held in Pristina, Kosovo. This event brought together the Constitutional Courts of Albania, Bulgaria, Kosovo, North Macedonia, Türkiye, and Montenegro, united by their shared commitment to democracy, the rule of law, and the protection of human rights.

3. CODICES DATABASE AND E-BULLETIN ON CONSTITUTIONAL CASE-LAW

The practical tools for the exchange of information between constitutional courts and equivalent bodies are the [electronic Bulletins on Constitutional Case-Law](#) and the [CODICES](#) database which contains about 12000 decisions²³ rendered by over 100 participating courts, together with constitutions. In 2024, constitutional courts and equivalent bodies actively contributed to CODICES, which was regularly updated, and 343 cases were added.

In 2024, the “e-Bulletin on Constitutional Case-Law” continued to be published three times a year, containing summaries of the most important decisions provided by the constitutional courts or equivalent bodies of all 61 member States and observer states as well as the European Court of Human Rights, the Court of Justice of the European Union and the Inter-American Court of Human Rights.²⁴

These publications play a vital “cross-fertilisation” role in constitutional case-law.

4. VENICE FORUM

The online *Venice Forum* is a restricted platform on which liaison officers, appointed by constitutional courts or equivalent bodies, can exchange information.

In 2024, the *Classic Venice Forum* (enabling courts to ask other courts for specific information on case-law) dealt with 22 comparative law research requests from 10 different courts. In addition, 16 posts were made in the restricted *Newsgroup* (enabling courts to actively share information with each other). In 2025 the new Venice Forum Platform will be operational.

²³ Summaries in English and French as well as full texts of the decisions in 43 languages.

²⁴ In addition to the regular e-Bulletin, Resolution III of the Circle of Presidents of the Conference of European Constitutional Courts (25 May 2022, Chisinau) invited the Venice Commission to prepare a special Bulletin for the 19th Congress of the conference of European constitutional courts (CECC) which took place in May 2024 in Chisinau on the topic “Forms and limits of judicial deference: the case of constitutional courts”.

X. OMBUDSMAN INSTITUTIONS

In 2024, the Venice Commission continued to work with Ombudsman institutions. The support that the Venice Commission provides to Ombudsman institutions and their networks is rooted in the Principles for the Protection and Promotion of the Institution of Ombudsman, the “Venice Principles”, which were endorsed by all the statutory bodies of the Council of Europe and set as an international standard for Ombudsman institutions by the United Nations.

Co-operation with long-standing partner Ombudsman networks, such as the Association of Mediterranean Ombudsmen (AOM) and the Association of Ombudsmen and Mediators of the Francophonie (AOMF), facilitated and reinforced the Commission’s efforts.

Together with the AOM and the Commissioner for Administration and the Protection of Human Rights (Ombudsman) of the Republic of Cyprus, the Venice Commission co-organised, on 26 September 2024, a regional Conference entitled “Protecting human rights in the digital area and in social media” in Paphos, Cyprus. Participants explored the advancement of new technologies and artificial intelligence (AI), as well as the challenges these pose to Ombudsman institutions in safeguarding human rights.



At the regional Conference entitled “Protecting human rights in the digital area and in social media” 26 September, Paphos

Co-operation with AOMF resulted in the co-organisation of a training session and the Venice Commission's participation in the network's annual congress:

- On 23 and 24 April 2024 the Venice Commission organised, in co-operation with AOMF and the Ombudsman of Morocco, a training workshop which focused on the *"Best interests of the child"*. Participants discussed in particular the issues and best practices of the institutions of Ombudsmen and Mediators concerning the best interests of the child with regard to legal procedures, institutional care and the inclusion of children in a situation of disability.
- From 16 to 18 October 2024, the Venice Commission participated in the 12th Congress of the AOMF *"The Ombudsman's challenges in defending the rule of law"* in Québec City, Canada, taking part in a panel entitled *"International principles to the rescue of threatened institutions"*, and focusing on the support that the Venice Commission can offer to Ombudsman institutions.



At the 12th Congress of the AOMF *"The Ombudsman's challenges in defending the rule of law"*
16-18 October, Québec City



Following the first Italian edition of the International Ombudsman Conference held in Rome in September 2023, the Venice Commission contributed to the organisation of the second edition of such a Conference on *"The role of the Ombudsman as a guardian of rights"*, held in Cassino, Italy, on 12-13 September 2024. This conference, organised by the Civic Defender of the Lazio Region, President of the National Coordination of Ombudsmen of Italy, brought together more than 200 Ombudsmen, civil servants and students from all continents.



Participants of the second Italian edition of the International Ombudsman Conference on *"The role of the Ombudsman as a guardian of rights"*
12-13 September, Cassino

The Venice Commission participated in the International Conference *"Human Rights Protection Mechanisms and the Role of National Human Rights Institutions in the European Union and Beyond"*, organised on 19-20 September 2024 by the Council of Europe, together with the People's Advocate (Ombudsman) of the Republic of Moldova, UNHCR and the Danish Institute for Human Rights. The Venice Commission took part in a panel on *"The role of National Human Rights Institutions and Ombudsperson institutions in the EU and across the EU"*.



Participation of the Venice Commission online at the International Conference *"Human Rights Protection Mechanisms and the Role of National Human Rights Institutions in the European Union and Beyond"*,
19-20 September, Chisinau

The Venice Commission further participated in the following international conferences organised on the occasion of anniversaries of the Ombudsman institutions:

- *“Ombuds Institutions and NHRIs amid Turbulent Times: Resilience and Challenges”*, dedicated to the 20th anniversary of the Human Rights Defender’s Institute of the Republic of Armenia.
- *“Human Rights an important factor of the sustainable development of States”*, organised on the occasion of the 29th anniversary of the foundation of the institute of the Authorised Person of the *Oliy Majlis* of the Republic of Uzbekistan for Human Rights (Ombudsman).

Participation in such conferences represented an occasion to reflect on the relevant institutions’ achievements and future endeavours as well as to strengthen the existing synergies between these institutions and the Commission.

Lastly, in November 2024, the Venice Commission participated in a training session on national and European standards in relation to the mandate of the Ombudsperson Institutions coorganised by the Council of Europe and the Ministry of Human and Minority Rights of Montenegro. On this occasion, the Venice Commission presented its standards related to the work of Ombudsman institutions to the members of the Working Group of the Ministry for the preparation of new Law on the Protector of Human Rights and Freedoms.



At the International conference on “Ombuds Institutions and NHRIs amid Turbulent Times: Resilience and Challenges”
21 October, Yerevan

XI. CO-OPERATION PROGRAMMES

In 2024, the Venice Commission continued its co-operation with Central Asia, Latin America and the Southern Mediterranean regions. Such an active engagement with the stakeholders in the respective regions was made possible thanks to the combined support provided by the Central Asia Rule of Law Programme²⁵ until July 2024 and the new joint EU/CoE project *“Support to democratic reforms, human right mechanisms and rule of law principles in Latin America, Central Asia and Mongolia”* (2024-2026) as of January 2024.

In the Southern Mediterranean region, the Joint EU/CoE South Programme V26 continued to serve as a framework for co-operation activities of the Venice Commission.

The Commission continued implementing the Project *“Supporting Constitutional and Legal Reforms in Ukraine (Phase 4)”* as part of the Action Plan for Ukraine *“Resilience, Recover and Reconstruction”* (2023-2026) developed in close consultation with the Ukrainian authorities. It is part of our Organisation’s contribution to the rebuilding process and recovery of the country.

1. CENTRAL ASIA

In 2024, four Opinions were adopted in respect of Kyrgyzstan: on the Code of Administrative Offences introducing Penalties for Insult and Slander [CDL-AD\(2024\)025](#), on draft amendments to the Law on Regulatory Legal Acts [CDL-AD\(2024\)026](#), on draft amendments to the Criminal Procedure Code concerning bail and videoconferencing in criminal proceedings [CDL-AD\(2024\)032](#) and on the amendments to the Law on Non-profit Organisations [CDL-AD\(2024\)033](#).

²⁵ Joint European Union/Council of Europe Programme *Central Asia Rule of Law Programme* 2020-2024, Action *Promoting Efficient Functioning of State Institutions and Public Administration in Central Asia*

²⁶ Joint European Union/Council of Europe Programme *South Programme V “Protecting human rights, rule of law and democracy through shared standards in the Southern Mediterranean”* (2022-2025)

2024 also marked the end of the Central Asia Rule of Law (CARoL) Programme. From 2020 to June 2024, the Venice Commission prepared Opinions and organised activities focused on the efficient functioning of state institutions and public administration in the region. In the framework of this programme, the Venice Commission prepared overall seven legal Opinions (notably in such fields as constitutional reforms, constitutional justice, regulatory legal acts, Ombudsman Institutions, administrative proceedings, parliamentary rules of procedure and elections) and organised 20 major events (international conferences, round tables and seminars on various aspects of constitutional justice, rule of law, judiciary, public administration, criminal justice and human rights). The work on Opinions in co-ordination with the relevant domestic authorities, civil society and international partners contributed to providing key recommendations to the legislative, executive and judicial authorities to align the draft legislation with international standards and better implement new constitutional and legal provisions in full respect of human rights and freedoms. Joint international events provided fora for discussion and exchange of experience and ideas among national and international stakeholders, paving the way towards designing and implementing reforms, developing new legislation or amending the existing ones.



Mr Sadyr Japarov, the President of the Kyrgyz Republic and Ms Veronika Bilkova, the Vice-President of the Venice Commission, at the 100th anniversary of the judicial system of the Kyrgyz Republic
20 September, Bishkek

On 11 June 2024, the final Steering Committee meeting and closing Conference of the CARoL programme were held in Astana, Kazakhstan. Participants highlighted the importance of the Venice Commission's contributions over the past four years through legal expertise, international conferences, and fostering co-operation among Central Asian countries.



Closing Conference of the Central Asia Rule of Law programme
11 June, Astana

The event reaffirmed the importance of the Commission's standard-setting documents and other tools, such as the Rule of Law Checklist, CODICES database, and thematic reports, in supporting democratic reforms. Representatives of the beneficiary countries expressed their wish to continue this fruitful co-operation.

The new joint EU/CoE project *"Support to democratic reforms, human right mechanisms and rule of law principles in Latin America, Central Asia and Mongolia"* (2024-2026) was launched in January 2024.

2. SOUTHERN MEDITERRANEAN

In 2024, the Venice Commission co-operated with countries of Southern Mediterranean in three fields: legal advice, Ombudsman institutions and constitutional justice.

On 5-6 March 2024, the Parliament of Morocco, the Commission and the Parliamentary Assembly of the Council of Europe co-organised a joint training seminar for Moroccan parliamentarians on the topic of *"Drafting and evaluating legislation"*. Participants discussed the best European and international practices as regards the methodology for evaluating legislation by parliamentary institutions.

On 12-13 June 2024 in Salé, Morocco, at the request of the Ministry of Justice of Morocco, the Venice Commission organised an international seminar entitled *"The Exception of Unconstitutionality of Laws – comparative experiences"* which served to examine the latest developments and to present the European

standards and experiences in this area. The seminar provided an opportunity to fuel the internal debate on the introduction and implementation of the exception of unconstitutionality at a time when a new law on the subject was being developed by the Moroccan Ministry of Justice.



At the international seminar on “The Exception of Unconstitutionality of Laws – comparative experiences”, 12-13 June 2024, Salé



Co-operation with Ombudsman institutions was one of the components of the South Programme V.²⁷ In this context, the Venice Commission organised, in co-operation with the Association of Ombudsmen and Mediators of the Francophonie (AOMF) and the Ombudsman of Morocco, a training workshop on “*The Best Interests of the Child*” in Rabat, Morocco, on 23 and 24 April 2024 (see Chapter on *Ombudsman institutions*).



At the training workshop on “Best Interests of the Child” 23 and 24 April, Rabat

Furthermore, the Venice Commission co-organised with the Secretariat General of the Government of Morocco an international conference entitled “*International Conventions in the Internal Legal Order: place and reception*” on 4-5 October 2024 in Rabat, Morocco.



A joint training seminar for Moroccan parliamentarians on the drafting and evaluating legislation 5-6 March, Rabat



Venice Commission's members and members of secretariat at the international conference on “International Conventions in the Internal Legal Order: place and reception” 4-5 October, Rabat

²⁷ Joint European Union/Council of Europe Programme *South Programme V “Protecting human rights, rule of law and democracy through shared standards in the Southern Mediterranean”* (2022-2025)

The event served to discuss the question of the hierarchy of legal norms and the modalities of the legal and normative reception of international conventions in Venice Commission members states and particularly in Morocco. The conference participants examined the roles of legislator, government, constitutional judges, the Court of Cassation, ordinary judges, independent institutions, lawyers and civil society in ensuring the respect of international law by the state.

Following a request from the Ministry of Justice of Lebanon, the Venice Commission adopted an Opinion [CDL-AD\(2024\)006](#) on the draft law on the administrative judiciary at its March 2024 plenary session, under the Quick Response Mechanism (QRM)²⁸ set up for the South Programme V. A delegation from Lebanon participated in the Venice Commission plenary session on 15-16 March 2024 and had exchanges on the on-going legal reforms with the Commission's members.

3. LATIN AMERICA

In 2024, the Venice Commission continued its fruitful co-operation with its member states and partners in Latin America - Mexico and Haiti, financed by the joint EU/CoE programme *"Support to democratic reforms, human rights mechanisms, and rule of law principles in Latin America, Central Asia, and Mongolia"*.²⁹

During the 2024 federal elections in Mexico, the Venice Commission participated in the Foreign Visitors programme, hosted by the Electoral Tribunal of the Federal Judiciary (TEPJF) and the National Electoral Institute (INE). Between 28 May and 2 June, Commission members engaged with judicial representatives, electoral bodies, and civil society stakeholders. On 2 June, the election day, activities included observations at polling stations offering insights into electoral operations and safeguards.



Foreign Visitors programme and the National Electoral Institute (INE)
June, Mexico City

The subsequent report analysed TEPJF's case law, highlighting steps in gender parity and inclusivity, while noting persistent challenges such as political violence and procedural inconsistencies. Recommendations emphasised procedural enhancements, stronger deterrence mechanisms, and alignment with international standards. In November 2024, these findings were presented at the national meeting of electoral judges in Mexico City. The meeting was attended by over 50 state electoral tribunal judges, fostering dialogue on judicial independence and access to justice.

In 2024, based on the co-operation agreement between the Venice Commission and the Organization of American States (OAS) of June 2020, the Commission received requests for two Opinions on Haiti and a Report on election observers as human rights defenders.

The Venice Commission adopted an interim Opinion [CDL-AD\(2024\)017](#) addressing Haiti's electoral framework amidst severe political instability in June 2024. The interim Opinion outlined constitutional and legislative recommendations for future elections, stressing the necessity of re-establishing security as a precondition for credible electoral processes. On 28-30 October 2024, under the auspices of and in co-operation with the Department of Electoral Cooperation and Observation (DECO) of the Organization of American States (OAS), a delegation of the Commission met in Washington DC with high-level representatives of the Haitian authorities.

²⁸ The requests for an Opinion can be activated through the Quick Response Mechanism (QRM) in the framework of the South Programme V which is a tool designed for the provision of legislative expertise to support priority reforms in areas of Council of Europe expertise based on requests received from partner authorities in the Southern Mediterranean region.

²⁹ Funded by the European Union and implemented by the Venice Commission of the Council of Europe.



Delegation of the Venice Commission at the Organization of American States, OAS General Secretariat Building
15 May, Washington DC

These consultations led to the final Opinion [CDL-AD\(2024\)042](#), adopted during the plenary session in December 2024, which underscored the importance of inclusive governance and robust judicial systems. This document now serves as a reference for Haiti’s ongoing constitutional reform. The representatives of Haiti and the Venice Commission, with the assistance of the OAS, would stay in close contact to establish a timetable for the successive stages in the adoption of the new constitution in 2025. In particular, the draft constitution would be sent by the Steering Committee for the National Conference and Constitutional Reform to the Venice Commission for an Opinion as soon as it is finalised.

The Commission’s Report on election observers as human rights defenders [CDL-AD\(2024\)039](#) was adopted in December 2024. The Report detailed risks faced by observers, offering actionable recommendations for their protection under international human rights and electoral standards. These findings have set a new benchmark for safeguarding electoral integrity across Venice Commission member states.

4. UKRAINE

In 2024, the Venice Commission continued implementing the Project “*Supporting Constitutional and Legal Reforms in Ukraine (Phase 4)*” in the framework of the Council of Europe Action Plan for Ukraine “*Resilience, Recovery and Reconstruction*” (2023-2026).

Throughout 2024, the Project continued contributing to the work of the Advisory Group of Experts (AGE), a special mechanism, which was set up following a series of the Venice Commission’s Opinions (adopted in 2022-2023) to assist the Ukrainian authorities in the evaluation of the moral qualities and professional competences of candidate judges of the Constitutional Court of Ukraine.³⁰



Advisory Group of Experts meeting to evaluate of the moral qualities and professional competences of candidate judges of the Constitutional Court of Ukraine

The year was marked by the election, from the lists provided by the AGE, of two new judges of the Constitutional Court of Ukraine.

An *amicus curiae* brief [CDL-AD\(2024\)038](#) was adopted by the Commission following a request by the European Court of Human Rights (ECtHR) pursuant to Rule 44, paragraph 3(a), of the Rules of Court, on questions raised by the pending case of *Shevchuk v. Ukraine* (Application No. 474/21). The *amicus curiae* brief, funded by the Project, provided a comparative overview of standards on the disciplinary rules concerning presidents and judges of constitutional courts in 46 Council of Europe member states (see Chapter on *Opinions and amicus curiae briefs*).

³⁰ According to the Ukrainian legislation, for the six-year transitional period (2023-2029), the AGE will be composed of three national members appointed by the President of Ukraine, the *Verkhovna Rada* of Ukraine, and the Congress of Judges of Ukraine and three international members appointed by the Venice Commission, the EU, and USAID.

The Project also supported activities concerning the follow-up to the Venice Commission's previous Opinions and other priority areas for Ukraine, such as good democratic governance reforms, administrative justice and implementation of the European Convention on Human Rights in Ukraine.



High-level dialogue III *“Good democratic governance in Ukraine: Achievements, challenges and the way forward in post-war period”*
3 July, Strasbourg



ANNEX 1 - LIST OF INDIVIDUAL MEMBERS IN 2024

Albania	
	<i>Substitute member</i> Ms Elvira KOKONA Deputy Secretary General, Council of Ministers of Albania
Algeria	
[Mr Omar BELHADJ] President, Constitutional Court	<i>Substitute member</i> [Ms Leila ASLAOUI] Judge, Constitutional Court
Andorra	
Mr Pere VILANOVA TRIAS Emeritus Professor of Political Science and Constitutional Law, University of Barcelona	
Armenia	
Mr Vladimir VARDANYAN Chair of the Standing Committee on State and Legal Affairs, National Assembly	<i>Substitute member</i> Mr Davit KHACHATURYAN Member, Supreme Judicial Council
Austria	
Mr Christoph GRABENWARTER President, Constitutional Court	<i>Substitute member</i> Ms Katharina PABEL Professor, Vienna University of Economics and Business
Azerbaijan	
Mr Rövşən İSMAYILOV Judge, Constitutional Court	
Belgium	
Mr Jan VELAERS Professor, University of Antwerp	<i>Substitute member</i> Mr Jean-Claude SCHOLSEM Professor Emeritus, University of Liege

Bosnia and Herzegovina

Mr Zlatko KNEŽEVIĆ
Former President, Constitutional Court

Substitute member
Mr Nedim ADEMOVIĆ
Lawyer

Mr Marko BEVANDA
Assistant Professor, Faculty of law,
University of Mostar

Brazil

Ms Cármen Lúcia ANTUNES ROCHA
Former President, Federal Supreme
Court

Substitute member
Mr Gilmar Ferreira MENDES
Justice, Federal Supreme Court

Bulgaria

Mr Philip DIMITROV
Judge, Constitutional Court

Substitute member
Mr Plamen KIROV
Former Judge, Constitutional Court

Canada

Mr Warren NEWMAN
Senior General Counsel, Constitutional
Law, Department of Justice

Chile

Mr José Ignacio VASQUEZ MARQUEZ
Judge, Constitutional Court

Substitute member
Ms María Pía SILVA GALLINATO
Judge, Constitutional Court

As of October – Ms María Pía SILVA
GALLINATO
Judge, Constitutional Court

As of October – Ms Nancy YÁÑEZ
FUENZALIDA
Minister, Constitutional Court

Costa Rica

Mr Fernando CASTILLO VÍQUEZ
President, Constitutional Chamber of
the Supreme Court

Substitute member
Ms Nancy HERNANDEZ LOPEZ
Magistrate, Full member of the
Constitutional Chamber

Croatia

Ms Jasna OMEJEĆ
Professor of Administrative Law, Law
Faculty, University of Zagreb

Substitute member
Ms Sanja BARIĆ
Professor of Constitutional Law, Law
Faculty, University of Rijeka

Cyprus

Mr Yiasemis N. YIASEMI
Judge, Supreme Court

Substitute member
Mr Nicholas SANTIS
Judge, Supreme Court

Czechia

Ms Veronika BÍLKOVÁ
Vice-President of the Venice
Commission, Lecturer, Law Faculty,
Charles University

Substitute member
Mr Tomáš LANGÁŠEK
Judge, Constitutional Court

Denmark

Mr Jørgen Steen SØRENSEN
Judge, Supreme Court

Substitute member
Mr Thomas RØRDAM
Former President, Supreme Court

Estonia

Mr Lauri MÄLKSOO
Professor of International Law,
University of Tartu

Substitute member
Mr Oliver KASK
President, National Election Commission

Finland

Mr Tuomas OJANEN
Professor of Constitutional Law, Law
Faculty, University of Helsinki

Substitute member
Mr Janne SALMINEN
Full Professor of Public Law, Vice Dean
of the Public Law Faculty, University of
Turku

France

Ms Claire BAZY MALAURIE
President of the Venice Commission,
Former Member of the Constitutional
Council

Substitute member
Mr François SÉNERS
Member, Constitutional Council

Georgia

Mr Mindia UGREKHELIDZE
Former Judge at the European Court
of Human Rights, Professor, Head of the
Department for Legal Studies, Caucasus
International University

Germany

Ms Angelika NUSSBERGER
Former Vice-President of the Venice
Commission, Former Vice-President
of the European Court of Human Rights,
Professor, University of Cologne,
Director, Institute for Eastern European
Law

Substitute member
Mr Andreas PAULUS
Former Justice of the Federal
Constitutional Court, Director, Institute
of International and European Law,
University of Göttingen

Greece

Mr Nicos C. ALIVIZATOS
Professor of Constitutional Law, Athens
Law School

Substitute member
Mr Panayotis VOYATZIS
Lawyer, General Court of the European
Union

Hungary

Mr András Zs. VARGA
President of Kúria (Supreme Court of
Hungary), Professor, Faculty of Law and
Political Sciences, Pázmány Péter
Catholic University

Substitute member
Mr András MÁZI
Deputy State Secretary for Coordination,
Ministry of Justice

Iceland

Ms Herdis KJERULF
THORGEIRSDOTTIR
Former Vice-President of the Venice
Commission, Attorney at Law

Substitute member
Mr Thorgeir ÖRLYGSSON
Former President, Supreme Court

Mr Hjortur TORFASON
Former Judge, Supreme Court

Ireland

Mr Richard BARRETT
Law Reform Commissioner, Law Reform
Commission of Ireland

Substitute member
Ms Mary O'TOOLE
Senior Counsel, Member of the Bar of
Ireland

Israel

Mr Dan MERIDOR
Lawyer, Former Deputy Prime Minister
and Minister of Justice

Substitute member
Mr Barak MEDINA
Dean, Faculty of Law, The Hebrew
University of Jerusalem

As of September – Ms Talia EINHORN
Professor of Law (em.), Ariel University
and Visiting Senior Researcher, Coller
school of Management, Tel-Aviv
University

As of September – Mr Chagai VINIZKY
Senior Lecturer, Academic College of
Law & Science, Head of the Begin
Institute of Law and Zionism

Italy

Ms Marta CARTABIA
Vice-President of the Venice
Commission, Former Minister of Justice,
Former President, Constitutional Court

Substitute member
Mr Cesare PINELLI
Head of the Public Law Section, Legal
Science Department, «La Sapienza»
University

Kazakhstan

Mr Igor ROGOV
Chairman, Commission on Human
Rights

Substitute member
Ms Unzila SHAPAK
Member, Committee on Legislation and
Judicial Reform, Parliament of the
Republic of Kazakhstan

As of March – Ms Elvira AZIMOVA
Chair, Constitutional Court

As of March – Mr Azamat YESKARAEV
Minister of Justice

Korea, Republic

Mr Kiyoungh KIM
Justice, Constitutional Court

Substitute member
Ms Noh Kong LEE
Vice Minister of Justice, Ministry of Justice

Kosovo

Mr Qerim QERIMI
Professor, Law Faculty, University of Pristina

Substitute member
Mr Kushtrim ISTREFI
Assistant Professor of Human Rights Law and Public International Law, the Netherlands Institute of Human Rights (SIM), Utrecht University

Kyrgyzstan

Mr Aiaz BAETOV
Minister of Justice

Substitute member
Mr Murat UKUSHEV
Head of Legal Support Department, Administration of the President of the Republic

Latvia

Mr Aldis LAVIŅŠ
President, Constitutional Court

Substitute member
Mr Artūrs KUČS
Judge, Constitutional Court

As of December – Ms Irēna KUCINA
President, Constitutional Court

As of December – Mr Mārtiņš MITS
Judge, Constitutional Court

Liechtenstein

Mr Peter BUSSJÄGER
Judge, Constitutional Court

Substitute member
Mr Wilfried HOOP
Partner, Hoop & Hoop

Lithuania

Mr Dainius ŽALIMAS
Dean of the Law Faculty, Vytautas Magnus University, Kaunas

Substitute member
Ms Inga MILAŠIŪTĖ
Member, Central Electoral Commission

Luxembourg

Ms Claudia MONTI
Ombudsman

Substitute member
Ms Noémie SADLER
Criminal defence lawyer, President of the Advisory Commission on Human Rights

Malta

Mr Michael FRENDU
Former Vice-President of the Venice Commission, Former Speaker of the House of Representatives

Mexico

Mr José Luis VARGAS VALDEZ
Former Justice, Federal Electoral Tribunal

As of November – Ms Mónica Aralí SOTO FREGOSO
President, Federal Electoral Tribunal

Substitute member

Ms Janine M. OTÁLORA MALASSIS
Judge, Federal Electoral Tribunal

As of November – Mr Felipe DE LA MATA PIZANA
Judge, Federal Electoral Tribunal

Moldova, Republic of

Ms Domnica MANOLE
President, Constitutional Court

Substitute member

Ms Olesea STAMATE
MP, Chair of the Committee for Legal Affairs, Immunities and Appointments, Parliament

Monaco

Mr Bertrand MATHIEU
Professor Emeritus, Faculty of Law, Sorbonne-University Paris I, President Emeritus, The French Association of Constitutional Law

Substitute member

Mr Christophe SOSSO
Defence Lawyer, Court of Appeal

Montenegro

Mr Srdjan DARMANOVIĆ
Former Minister of Foreign Affairs, Professor of Comparative Politics, University of Montenegro

Substitute member

Mr Zoran PAZIN
Former Deputy Prime Minister and Minister of Justice

Morocco

Ms Nadia BERNOUSSI
Professor of Constitutional Law, Mohammed VI University

Substitute member

Mr Ahmed Essalmi El Idrissi ESSALMI
Member, Constitutional Court

Netherlands

Mr Martin KUIJER
Vice-President of the Venice Commission, Judge, Supreme Court

Substitute member

Ms Janneke GERARDS
Professor, Institute of Constitutional, Administrative Law and Legal Theory, Utrecht University School of Law

North Macedonia

Ms Renata DESKOSKA
Professor of Constitutional Law, University "Ss. Cyril and Methodius", Law Faculty "Iustinianus Primus", Former Minister of Justice

Substitute member

Mr Jeton SHASIVARI
Professor of Constitutional and Administrative Law, Faculty of Law, South East European University

Norway

Mr Eirik HOLMØYVIK
Professor of Law, University of Bergen

Substitute member
Ms Adele MATHESON MESTAD
Director, Norwegian National Human
Rights Institution

Peru

Mr Gustavo GUTIÉRREZ TICSE
Judge, Constitutional Court

Substitute member
Mr Manuel MONTEAGUDO VALDEZ
Judge, Constitutional Court

Poland

Mr Justyn PISKORSKI
Judge, Constitutional Tribunal

Substitute member
Ms Joanna LEMANSKA
Judge, President of the Extraordinary
Review and Public Affairs Chamber,
Supreme Court

Portugal

Mr António Henriques GASPAR
Judge Councillor, Supreme Court of
Justice, Former President of the
Supreme Court and of the High Judicial
Council

Substitute member
Mr Rui Filipe SERRA SERRÃO
PATRÍCIO
Partner, Morais Leitão, Galvão
Teles, Soares da Silva & Associados,
Visiting Professor, NOVA School of Law -
Universidade NOVA de Lisboa

Romania

Mr Bogdan AURESCU
Foreign Policy Advisor to the President
of Romania

Substitute member
Ms Laura-Iuliana SCÂNTEI
Judge, Constitutional Court

As of March – Ms Laura-Iuliana SCÂNTEI
Judge, Constitutional Court

As of March – Mr Liviu Ilie DUMITRU
Director, International Law and EU Law
Division, Ministry of Foreign Affairs

San Marino

Mr Fabio GIOVAGNOLI
Deputy Head, National Court of the
Republic of San Marino

Serbia

Mr Vladan PETROV
Judge, Constitutional Court, Professor,
Law Faculty, Belgrade University

Substitute member
Ms Maja PRELIĆ SIMOVIĆ
Deputy Director, Judicial Academy of
the Republic of Serbia

Slovakia

Ms Jana BARICOVÁ
Judge, Constitutional Court

Substitute member
Mr Peter MOLNAR
Judge, Constitutional Court

Slovenia

Mr Ernest PETRIČ
Former Judge and President,
Constitutional Court, Former
Ambassador, Professor (New University),
Senior Adviser to the President of the
Republic

As of May – Ms Nina BETETTO
Judge, Supreme Court

Substitute member
Ms Verica TRSTENJAK
Professor of European Union Law,
Former Advocate General, European
Court of Justice

As of May – Mr Saša ZAGORC
Professor of Constitutional Law of the
Law Faculty, University of Ljubljana

Spain

Mr Rafael BUSTOS GISBERT
Professor of Constitutional Law,
Complutense University of Madrid

Substitute member
Mr Oscar SÁNCHEZ MUÑOZ
Professor of Constitutional Law,
Valladolid University

Ms Paloma BIGLINO CAMPOS
Full Professor of Constitutional Law,
Valladolid University

Sweden

Mr Iain CAMERON
Professor, University of Uppsala

Substitute member
Ms Elisabet FURA
Former Chief Parliamentary
Ombudsman

Switzerland

Ms Regina KIENER
Professor of Constitutional and
Administrative Law, University of Zurich

Substitute member
Ms Monique JAMETTI GREINER
Judge, Federal Tribunal

Tunisia

Mr Ghazi JERIBI
Former Minister of Justice

Substitute member
Ms Neila CHAABANE
Dean, Faculty of Legal, Political and
Social Sciences of Tunis

Türkiye

Mr Yavuz ATAR
Professor of Constitutional Law, Ibn
Haldun University

Substitute member
Ms Melek SARAL
Associate Professor, Social Sciences
University of Ankara, Professorial
Research Associate, SOAS, University of
London

Ukraine

Mr Serhiy HOLOVATY
Former Judge, Constitutional Court,
Professor, University «Kyiv School of
Economics»

United Kingdom

Mr Timothy OTTY
Barrister at Law

Substitute member

Mr Murray HUNT
Director, Bingham Centre for the Rule of
Law

United States of America

Mr Paolo CAROZZA
Professor of Law and Political Science,
University of Notre Dame Law School

Substitute member

Mr James P. KELLY III
President, Solidarity Center for Law and
Justice

As of February – Mr David A. KAYE
Professor of Law, Irvine School of Law,
University of California

As of February – Ms Rebecca INGBER
Professor, Benjamin N. Cardozo School
of Law, New York

Observers

Argentina

Mr Alberto Ricardo DALLA VIA
President, National Electoral Chamber

Substitute observer

Mr José Adrian PEREZ
Secretary of Political and Institutional
Affairs, Ministry of the Interior, Public
Works and Housing

Holy See

Mr Vincenzo BUONOMO
Rector, Pontifical Lateran University of
Rome

Japan

Mr Daichi ITO
Deputy to the Permanent Observer to
the Council of Europe, Supreme Court of
Japan

Substitute observer

Mr Masahiro SOGABE
Professor, Graduate School of Law,
Kyoto University

Uruguay

Mr Alvaro GONZÁLEZ OTERO
Ambassador, Embassy of Uruguay to the
Kingdom of the Netherlands

Others

European Union

Mr Hannes KRAEMER
Director – Principal Legal Adviser, European Commission - Legal Service - CFSP and External relations Team

Mr Bernhard HOFSTÖTTER
Member of the Legal Service, European Commission

Mr Lukasz BAUMGART
Member of the Legal Service, European Commission

Ms Mihaela CARPUS CARCEA
Member of the Legal Service, European Commission (until August)

Palestine*¹

Mr Mohammed AL-SHALALDEH
Minister of Justice

As of May – Mr Sharhabeel AL-ZAEEM
Minister of Justice

1 This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of Council of Europe member States on this issue.

ANNEX 2 - LIST OF ADOPTED OPINIONS WITH KEYWORDS BY PLENARY SESSION

138th PLENARY SESSION (VENICE, 15-16 MARCH 2024)

CDL-AD(2024)001

Hungary - Opinion on Act LXXXVIII of 2023 on the Protection of National Sovereignty

(Independent body, investigations, transparency, foreign influence, foreign funding, national sovereignty, constitutional identity, national security, fundamental rights, freedom of opinion, freedom of expression, privacy, freedom of association, political parties, election campaigns)

CDL-AD(2024)002

Bosnia and Herzegovina - Opinion on certain questions relating to the functioning of the Constitutional Court of Bosnia and Herzegovina

(Constitutional Court, blocking the election of judges, ad-hoc judges, prolongation of the mandate, anti-deadlock mechanisms, principle of loyal cooperation)

CDL-AD(2024)003

Spain - Opinion on the rule of law requirements of amnesties, with particular reference to the parliamentary bill of Spain “on the organic law on amnesty for the institutional, political and social normalisation of Catalonia”

(Amnesty law, rule of law, legality, respect for international law, legal certainty, prohibition of arbitrariness, equality in law, independence of the judiciary, separation of powers, legitimate aim, proportionality, temporal scope, inclusive legislative procedure, simple or qualified majority, powers of parliamentary committees of inquiry)

CDL-AD(2024)004

Bulgaria - 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 Code of Ethical Conduct for Judges

(Ethics of judges, ethics committee, code of ethical conduct, integrity, decency, disciplinary liability)

CDL-AD(2024)005

Bulgaria - 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 Code of Ethical Conduct for Prosecutors and Investigators

(Ethics of prosecutors, ethics committee, code of ethical conduct, integrity, decency, disciplinary liability)

CDL-AD(2024)006

Lebanon - Opinion on the draft law on the Administrative Judiciary

(Composition of the High Council of Administrative Justice, powers of the State Council's President, jurisdiction of administrative courts, guarantees for the independence of judges, administrative procedural law)

CDL-AD(2024)009

Bosnia and Herzegovina - Interim Follow-up Opinion to previous Opinions on the High Judicial and Prosecutorial Council

(Reform of the High Judicial and Prosecutorial Council, lay members, method of selection of Council's members, disciplinary liability, appraisal and asset declaration of judges and prosecutors, status and security of tenure)

CDL-AD(2024)010

Georgia - Follow-up Opinion to the Joint Opinion on the draft amendments to the Election Code and to the Rules of Procedure of the Parliament of Georgia

(Central Election Commission, election administration, anti-deadlock mechanism, selection procedures for appointment, stability of electoral law)

CDL-AD(2024)011

Montenegro – Urgent Opinion on the draft law on the prevention of corruption

(Corruption prevention, Agency for the Prevention of Corruption, whistleblowers, conflicts of interest, incompatibilities, gifts, asset declarations)

CDL-AD(2024)012

Montenegro – Urgent Follow-up Opinion on the revised draft amendments to the Law on the Judicial Council and Judges

(Organisation of the judicial system, Judicial Council, judicial and non-judicial members, principle of independence and impartiality of judges, disciplinary liability of judges, evaluation of judges, dismissal of judges, training of judges, transfer of judges, Supreme Court judges)

CDL-AD(2024)013

Montenegro – Urgent Follow-up Opinion to the Opinions on the Law on the State Prosecution Service

(Prosecutorial Council, composition, election of prosecutorial members and lay members, risk of corporatism and risk of politicisation)

CDL-AD(2024)014

Montenegro – Urgent Follow-up Opinion to the Opinions on the Law on the Special State Prosecutor's Office

(Jurisdiction, Definition of “high-ranking public official”, reduction of the backlog)

CDL-AD(2024)015

Bosnia and Herzegovina - Opinion on the method of electing judges to the Constitutional Court

(Constitutional Court, selection of judges, qualification requirements, composition, ethnic criteria)

CDL-AD(2024)017

Haiti - Interim Opinion on possible constitutional and legislative solutions to conduct future electoral processes

(Constitutional reform, electoral reform, absence of institutions, procedure for revising the Constitution, pre-conditions for elections, roadmap to implement international standards)

CDL-AD(2024)018

Poland - Urgent Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law of the Council of Europe on the draft law amending the Law on the National Council of the Judiciary of Poland

(Judicial council, security of tenure, election of members of the judicial council)

CDL-AD(2024)019

Armenia - Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity on the draft law on national minorities

(National minorities, cultural rights, linguistic rights, equality and non-discrimination, representation, education and language, legislative process, freedom of religion, ethnic identity, community consultation, legal certainty, participatory mechanisms)

CDL-AD(2024)020

Georgia - Urgent Opinion on the Law of Georgia on Transparency of Foreign Influence

(Foreign influence, freedom of association, freedom of expression, civil society organisations, foreign agents, prohibition of discrimination, legality and proportionality, public debate, legislative process, media and NGOs, public consultation)

CDL-AD(2024)021

Georgia - Opinion on the draft constitutional law on Protecting Family Values and Minors
(**Fundamental rights, anti-LGBTI propaganda law, family law, children's rights, freedom of expression, freedom of association, right to education, public health**)

CDL-AD(2024)022

Republic of Moldova - Opinion on the Law on the partial implementation of the postal vote
(**Elections, out-of-country voting, postal vote, secret vote, stability of electoral law**)

CDL-AD(2024)023

Georgia - Opinion on amendments to the Election Code which abolish gender quotas
(**Gender quotas, gender equality, representation of women in politics, parliamentary elections, local council elections, proportional system**)

CDL-AD(2024)024

Montenegro – Urgent Opinion on the draft amendments to the Law on Seizure and Confiscation of Material Benefit Derived from Criminal Activity
(**Seizure, confiscation, burden of proof, existence of a substantive link between the crime and the confiscation of assets, retroactive review of the legality of enrichment, provisional measures**)

CDL-AD(2024)025

Kyrgyzstan - Opinion on the draft Law "On amendments to the Code of Administrative Offences of the Kyrgyz Republic Introducing Penalties for Insult and Slander"
(**Freedom of expression, honour and reputation, insult and slander, legitimacy, legality and proportionality of laws, administrative offences**)

CDL-AD(2024)026

Kyrgyzstan - Opinion on the draft Law "On Amendments to the Law of the Kyrgyz Republic On Regulatory Legal Acts"
(**International legal standards of law-making, legal certainty, separation of powers, planning of legislative work, types of normative legal acts, regulatory impact analysis, organisation of public discussions**)

140th PLENARY SESSION (VENICE, 11-12 OCTOBER 2024)

CDL-AD(2024)028

Armenia - Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law of the Council of Europe on the draft amendments to the Criminal Code and the Criminal Procedure Code concerning the collection of evidence without consent in criminal investigations
(**Effective investigations, investigative actions – personal inspection, expert examination and providing samples, interference with the physical and or mental integrity; right to remain silent; access to a lawyer**)

CDL-AD(2024)029

Poland – Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law on European standards regulating the status of judges
(**Rule of law, judicial independence, national council of the judiciary, appointment procedures, judicial recourse, legal certainty, principle of proportionality, separation of powers, security of tenure, res judicata, judicial system, impartiality of judges**)

CDL-AD(2024)030

Armenia - Joint Opinion of the Venice Commission and the Directorate General of Democracy and Human Dignity on the draft laws amending and supplementing the "Law on Mass Media" and the Civil Code of Armenia
(**Media self-regulation, journalistic ethics, freedom of expression and media independence**)

CDL-AD(2024)031

Armenia - Joint Opinion of the Venice Commission and the Directorate General Human Rights and Rule of Law on the draft amendments to the Judicial Code of Armenia (regarding evaluation of judges)
(**Evaluation of judges, judicial performance, judicial corporatism, judicial council, inclusiveness of lay members**)

CDL-AD(2024)032

Kyrgyzstan - Opinion on the draft amendments to the Criminal Procedure Code concerning bail and videoconferencing in criminal proceedings
(**Bail, criminal proceedings, right to a fair trial, videoconferencing, broadcasting, confidential communication**)

CDL-AD(2024)033

Kyrgyzstan - Opinion on Law No. 72 of 2 April 2024 amending the Law "On Non-profit Organisations"
(**Non-profit-organisations, foreign funds, civil society, freedom of association, freedom of expression, public consultation, restrictions compliance with conditions of legality, legitimacy, necessity and proportionality, effective remedies**)

CDL-AD(2024)034

Poland - Opinion on the draft amendments to the Law on the Public Prosecutor's Office
(**Prosecutor General, prosecutorial council, appointment of Prosecutor General, dismissal of Prosecutor General, competence of the prosecutorial council**)

141st PLENARY SESSION (VENICE, 6-7 DECEMBER 2024)

CDL-AD(2024)035

Poland - Opinion on the draft constitutional amendments concerning the Constitutional Tribunal and two draft laws on the Constitutional Tribunal
(**Constitutional Court, restoration of the rule of law, composition, selection procedure, appointment, irregularly appointed judges, right to a fair trial, status of decisions, invalidation of decisions, legal certainty, renewal of the Constitutional Court, qualified majority, anti-deadlock mechanism, security of tenure, oath, disciplinary liability**)

CDL-AD(2024)036

Serbia - Opinion on the draft Law on the Judicial Academy and draft amendments to the Law on Judges and the Law on the Public Prosecutor's Office
(**Appointment of judges, appointment of prosecutors, training for judges, training for prosecutors, training authority, initial training**)

CDL-AD(2024)037

Amicus curiae brief for the European Court of Human Rights in the case of *Staderini and Others v. Italy* on the stability of electoral legislation and some features of a mixed electoral system
(**Stability of electoral law, legal certainty, mixed electoral system, right to free elections**)

CDL-AD(2024)038

Amicus curiae brief for the European Court of Human Rights in the case of *Shevchuk v. Ukraine* on standards on the disciplinary rules concerning presidents and judges of constitutional courts
(**Disciplinary proceedings against Constitutional Court judges and presidents, procedural guarantees, external review, special role and function of a Constitutional Court, Council of Europe member States**)

CDL-AD(2024)040

Albania - Opinion on the implementation by Parliament of Constitutional Court decisions

(Parliament, free mandate; incompatibility, standards, role of legislative and judiciary bodies; separation of powers; respect of Constitutional Courts' judgments by parliament; Constitutional Court, interpretation and creation of norms)

CDL-AD(2024)041

Türkiye - Opinion on the composition of the Council of Judges and Prosecutors and the procedure for the election of its members

(Judicial Council, judicial review, independence of the judiciary, separation of powers)

CDL-AD(2024)042

Haiti - Final Opinion on possible constitutional and legislative solutions to conduct future electoral processes in Haiti

(Constitutional reform, electoral reform, absence of institutions, procedure for revising the Constitution, pre-conditions for elections, roadmap to implement international standards, constitutional referendum)

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