

EVALUATION OF THE EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW (VENICE COMMISSION)

Management response &
Action Plan



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Name of Evaluation Report:	Evaluation of the European Commission for Democracy through Law (Venice Commission)		
Date of Evaluation Report:	28 February 2022	Date of the Action Plan:	21 April 2022

Overall management response to the evaluation:

The Council of Europe’s European Commission for Democracy through Law (“the Venice Commission”) is an independent consultative body on issues of constitutional law, including the functioning of democratic institutions and fundamental rights, electoral law and constitutional justice. In the course of the more than three decades since its foundation - during which it has issued more than 1000 opinions - the Venice Commission has made crucial contributions to the development of constitutional law mainly, although not exclusively, in the new democracies of Central and Eastern Europe. As the present evaluation sets out, the Venice Commission is a highly regarded institution that plays an important role in the international field through its activities to promote democratic values and the rule of law, which is widely recognised both in Europe and increasingly further afield.

The Secretariat recognises the utility of the recommendations issued as a result of the present evaluation with a view to further enhancing the Venice Commission’s relevance, effectiveness, efficiency and impact. They have all either been accepted or are under active consideration by management. The actions envisaged for their implementation are set out in the Action Plan below.

ACTION PLAN

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Target Date for Action	Person Responsible for Action
Recommendation 1: The Venice Commission should provide a detailed overview of the scope and core areas of its work for additional clarity and review its Rules of Procedure in light of current challenges and demands. (high)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission)	This matter will be submitted to the Sub-Commission on Working Methods.	Before end of 2022	Secretary of the Venice Commission
Recommendation 2: To enhance the Venice Commission's relevance, additional compilation(s) of European standards should be prepared in certain thematic areas to reinforce the guidance on international principles available to member states on the rule of law and democracy. (medium)				
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Under consideration	DGI (Venice Commission) (in consultation with other MAEs)	The Scientific Council of the Venice Commission, upon initiative of the Secretariat, will continue to produce thematic compilations. General reports will also be prepared with due consideration of available resources.	As of now	Secretary of the Venice Commission
Recommendation 3: The Venice Commission should develop channels for closer joint working with civil society organisations and legal associations in member states on opinions and other Venice Commission activities, possibly via the field offices. (medium)				
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Under consideration	DGI (Venice Commission) (in consultation with PO and other MAEs)	Contact points within the Secretariat will be appointed so that communication with Council of Europe field offices becomes easier. Channels of communication with local representatives of civil society through the field offices will be maintained by the Venice Commission Secretariat.	Before summer 2022	Deputy Secretary of the Venice Commission

¹ The Management decision concerns the Recommendation (Accepted, Rejected, Under consideration).

² For implementing accepted recommendations.

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Target Date for Action	Person Responsible for Action
Recommendation 4(a): Communication with other Council of Europe bodies should be strengthened to facilitate co-ordinated efforts. (medium)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission) (in consultation with PACE and other MAEs)	Contact points within the Secretariat will be appointed so that communication with other CoE bodies is made easier.	Before summer 2022	Deputy Secretary of the Venice Commission
Recommendation 4(b): The Venice Commission's external communication should be further developed in co-operation with the Council of Europe Directorate of Communications so as to increase the visibility of the work done across countries and the wider public. (medium)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission) DC	Communication on general reports will be enhanced. The Commission's quarterly newsletter will be posted as a news item on the Commission's website and therefore be accessible to the public (who will be invited to subscribe). DC's press review (headlines, newsletter) will be sent to Venice Commission members.	Before summer 2022	Deputy Secretary of the Venice Commission, Director of DC
Recommendation 5: The Venice Commission's human resources should be increased to ensure the sustainability of its operations in the future. (high)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	PO DGI (Venice Commission) DPB	Needs will be assessed in the framework of the mid-term review foreseen in the ongoing Programme and Budget (June 2023) and proposals will be made for the biennium 2024-2025 where relevant.	November 2023	Secretary of the Venice Commission, Director of Programme and Budget

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Target Date for Action	Person Responsible for Action
Recommendation 6: The management of international co-operation activities should be reviewed and technical assistance projects brought further in line with the Council of Europe Project Management Methodology. (high)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission) ODGP	The project teams will revise the information related to the on-going technical assistance projects in the PMM tool (in co-operation with ODGP). Further training can be envisaged in order to up-date their knowledge of the PMM IT tool.	Before summer 2022	Head of the Neighbourhood Co-operation Division, Secretariat of the Venice Commission
Recommendation 7: Revise the rules of procedure in respect of the process for the appointment of members to help ensure the highest standards of independence and technical knowledge. (medium)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission)	This matter will be submitted to the Sub-Commission on Working Methods.	Before end of 2022	Secretary of the Venice Commission
Recommendation 8: Review the working methods of the Venice Commission to formalise certain processes and procedures to ensure greater clarity and transparency while retaining a sufficient degree of flexibility. (medium)				
<input type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input checked="" type="checkbox"/> Under consideration	DGI (Venice Commission)	This matter will be submitted to the Sub-Commission on Working Methods.	Before end of 2022	Secretary of the Venice Commission

Management Decision ¹	Entity in Charge	Planned Actions ² (determined by Entity)	Target Date for Action	Person Responsible for Action
Recommendation 9: Maintain and increase over time the Venice Commission’s dialogue-based and constructive approach in relation to member states. (high)				
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Under consideration	DGI (Venice Commission) (in consultation with PO and SecCM)	An additional exchange of views per year may be scheduled between the President of the Venice Commission and the Committee of Ministers, and the visibility of the Venice Commission’s work may be increased through the participation of the Venice Commission’s Secretary in meetings of the rapporteurs’ groups as appropriate.	Before end of 2022	Secretary of the Venice Commission + Secretary of Committee of Ministers
Recommendation 10: Consider the development of an internal monitoring and evaluation framework to help increase internal insights on the extent of the Venice Commission’s impact. (medium)				
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Rejected <input type="checkbox"/> Under consideration	DGI (Venice Commission) (in consultation with PO and SecCM)	<p>One exchange of views between the President of the Commission and the CM may be devoted to the follow up to the opinions of the Venice Commission.</p> <p>One exchange of views between the Commission and PACE may be devoted to the follow up given to opinions requested by PACE. In addition, information on the PACE procedure of follow up may be given to the Commission and possible further synergies may be discussed.</p>	Before end of 2022	Secretary of the Venice Commission + Secretary of Committee of Ministers+ PACE Director of Committees - Democracy and Rule of Law

Abbreviation	
DC	Directorate of Communications
DGI	Directorate General Human Rights and Rule of Law
DPB	Directorate of Programme and Budget
MAE	Major Administrative Entity
ODGP	Office of the Directorate General of Programmes
PO	Private Office
PACE	Parliamentary Assembly of the Council of Europe
SecCM	Secretariat of the Committee of Ministers