

THE QUICK RESPONSE MECHANISM

Parteneriatul Estic Զարգ տաճախնի Partenariat Oriental Արևելյան Գործընկերությունն
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Partnership for Good Governance

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EUROPEAN UNION

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Co-funded and implemented
by the Council of Europe

The Partnership for Good Governance is a joint co-operation initiative of the European Union and the Council of Europe for strengthening good governance in the Eastern Partnership region*, co-funded by the European Union and the Council of Europe, and implemented by the Council of Europe.

The Partnership for Good Governance provides tailor-made support to beneficiary countries to meet their reform agendas and comply with the European standards in the fields of human rights, rule of law and democracy. This is also a priority for the EU enlargement process, as relevant for the Republic of Moldova and Ukraine's candidate status and Georgia's European perspective.

The programme, which has been running since 2015, builds on the already achieved results, in key areas:

- ▶ Strengthening justice
- ▶ Countering economic crime
- ▶ Promoting equality and non-discrimination
- ▶ Advancing women's access to justice and combating violence against women

The programme follows a two-fold approach in providing:

- ▶ Technical assistance for achieving an increased compliance with European standards.
- ▶ Legal advice linked to priority reforms through the Council of Europe Quick Response Mechanism.

WHAT IS THE QUICK RESPONSE MECHANISM?

■ The Quick Response Mechanism (QRM) is a Partnership for Good Governance tool, by which the European Commission for Democracy through Law (the **Venice Commission**) and other Council of Europe bodies may provide ad hoc legal and policy advice to Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine linked to priority reforms on strengthening justice, countering economic crime, promoting equality and non-discrimination and advancing women's access to justice and combating violence against women.

■ It can also respond to requests falling under the area of competence of the Venice Commission, such as democratic institutions and fundamental rights; elections, referendums and political parties; constitutional and ordinary justice.

■ The QRM complements the expertise provided on an ad hoc basis under the Partnership for Good Governance projects.

■ The QRM expertise and support aids the participating countries to meet their commitments as Council of Europe member states and offers important assistance in the context of the EU accession perspective for the Republic of Moldova, Ukraine and Georgia.

* While the Partnership for Good Governance does not include activities with the participation of the Belarusian authorities, in line with the EU policy of non-engagement with Belarusian public bodies and state-owned enterprises enshrined in the European Council Conclusions of October 2020, activities may be organised with the representatives of Belarusian civil society and democratic actors as appropriate, in line with the European Council Conclusions of February 2022 and the Decision of the Council of Europe Ministers' Deputies of March 2022.

WHO CAN MAKE A REQUEST FOR AN EXPERT OPINION UNDER THE QUICK RESPONSE MECHANISM?

Ministers and other members of government from the beneficiary countries as well as speakers of parliament, can make a request for an expert opinion. Opinions may also be prepared in response to requests coming from other authorities, such as for example heads of parliamentary committees and independent state institutions. The European Union as well as Council of Europe organs (i.e. the Secretary General, the Committee of Ministers, the Parliamentary Assembly and the Congress of Local and Regional Authorities) can also submit requests for expertise. Requests for amicus curiae opinions by the Venice Commission can be made by constitutional courts.

HOW TO FORMULATE A REQUEST AND HOW IS IT PROCESSED?

Requests for expertise can be addressed in writing, by letter, e-mail or fax to the Secretary General of the Council of Europe. Requests involving Venice Commission expertise can also be addressed directly to the President of the Venice Commission.

Requests should comprise as many details as possible, including the name and type of legislation or policy document on which expertise is being sought, the reasons for seeking expertise or for amending legislation or policies and the envisaged timeline for adoption of the new legislation or policy documents (or amendments to existing legislation and policy documents), following the provision of the requested expertise.

Once received, the requests will be processed by the relevant Council of Europe entities. While the Council of Europe aims to deliver requested expertise as soon as possible, the precise timeframe is defined in consultation with the requesting authorities.

WHAT ARE THE CRITERIA FOR GRANTING A REQUEST?

In addition to being submitted by a qualified authority, QRM requests must meet all the following criteria:

- ▶ It must fall within the areas of expertise of the Council of Europe and under one of the areas covered by the Partnership for Good Governance. The only exception relates to the Venice Commission, provided that the request falls within its scope of competence.
- ▶ It must respond to a concrete need identified in the relevant beneficiary country.
- ▶ It must relate to a key policy aspect of strategic importance.
- ▶ It cannot be provided within one of the ongoing projects of the Partnership for Good Governance.



EXAMPLES OF SUPPORT PROVIDED UNDER THE QUICK RESPONSE MECHANISM AND RESULTS ACHIEVED

Since the introduction of the QRM, it proved to be a flexible and efficient instrument to bring the national legislation of the Eastern Partnership countries closer to the Council of Europe standards.

■ In **Armenia**, the Judicial Code was amended in 2022 taking into account some key recommendations of the Joint Opinion of the Venice Commission and the Directorate General of Human Rights and Rule of Law ([CDL-AD\(2022\)002-e](#)).

■ In the **Republic of Moldova**, the Strategy and the Action Plan for Ensuring the Independence and Integrity of the Justice Sector for 2021-2024 was revised and adopted following the Joint opinion of the Venice Commission and the Directorate General for Human Rights and Rule of Law ([CDL-AD\(2020\)001-e](#)) and ([CDL-AD\(2020\)007-e](#)) on the draft law amending and supplementing the Constitution with respect to the Superior Council of Magistracy.

■ In **Georgia**, the Parliament adopted amendments to the Election Code and the Law on Political Associations of Citizens taking into account several recommendations provided in the Joint Opinion of the Venice Commission and the OSCE/ODIHR ([CDL-AD\(2021\)008-e](#)).

■ In **Ukraine**, the constitutional Court of Ukraine requested an Amicus curiae brief ([CDL-AD\(2019\)029-e](#)) on the draft amendments to Article 81 of the Constitution providing for the new grounds for the early termination of powers of members of the Parliament. In the view of the Venice Commission, the proposed amendments entailed an interference with certain fundamental rights, notably Article 3 of Protocol No. 1 to the European Convention on Human Rights (ECHR). The Constitutional Court ruled on 24 December 2019 that the draft amendments were unconstitutional following the Venice Commission Opinion ([CDL-AD\(2019\)029](#)).



WHERE TO ADDRESS A REQUEST

QRM requests can be sent by letter, e-mail, or fax to the Secretary General of the Council of Europe:

Secretary General of the Council of Europe

Council of Europe

F-67075 Strasbourg Cedex

France

Tel: + 33 3 88 41 20 00

Fax: + 33 3 88 41 27 99

Website: www.coe.int/en/web/secretary-general/private-office

QRM requests involving Venice Commission expertise can also be sent by letter, e-mail or fax to the President of the Venice Commission:

President of the Venice Commission

Council of Europe

67075 Strasbourg Cedex

France

E-mail: venice@coe.int

Fax: +33 3 88 41 37 38

MORE INFORMATION

Partnership for Good Governance Co-ordination Team

Directorate of Programme Co-ordination

Council of Europe

Avenue de l'Europe, F-67075 Strasbourg Cedex, France

E-mail: dpc_pgg@coe.int

The Partnership for Good Governance is a regional programme, organised around the alignment of the national legislation and practice with European standards according to the individual needs of the Eastern Partnership countries, running from 2023 to 2027.

The Quick Response Mechanism (QRM) is a Partnership for Good Governance tool, by which the European Commission for Democracy through Law (the Venice Commission) and other Council of Europe bodies may provide ad hoc legal and policy advice to Armenia, Azerbaijan, Georgia, the Republic of Moldova and Ukraine linked to priority reforms on strengthening justice, countering economic crime, promoting equality and non-discrimination and advancing women's access to justice and combating violence against women.

MORE INFORMATION

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Website: <http://partnership-governance-eu.coe.int/>



The member states of the European Union have decided to link together their know-how, resources and destinies. Together, they have built a zone of stability, democracy and sustainable development whilst maintaining cultural diversity, tolerance and individual freedoms. The European Union is committed to sharing its achievements and its values with countries and peoples beyond its borders.

www.europa.eu

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

www.coe.int

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