

ABOUT CENTRAL ASIA RULE OF LAW PROGRAMME

The Central Asia Rule of Law Programme (2020-2023) is a co-operation initiative based on the Partnership between the Council of Europe and the European Union, based on shared values and common goals. The Programme is open to all Central Asian countries wishing to benefit from the Council of Europe expertise and meeting the conditions for co-operation as described by the Council of Europe policy towards neighbouring regions. The Programme is also in line with the European Union Strategy for Central Asia. The Programme aims to improve the lives of citizens by reinforcing human rights, rule of law and democracy in accordance with European and other international standards, based on a demand-driven approach.

The Programme consists of three main Actions:

- ▶ Facilitating the creation of a common legal space between Europe and Central Asia and enhancing human rights protection;
- ▶ Promoting transparency and action against economic crime;
- ▶ Promoting efficient functioning of state institutions and public administration.

ABOUT THE VENICE COMMISSION

The European Commission for Democracy through Law – better known as the Venice Commission – was set up by the 18 member states of the Council of Europe shortly after the fall of the Berlin Wall in 1990. The Commission played a key role in the adoption by the Eastern European countries of constitutions that met standards of European constitutional heritage.

The main role of the Commission is to provide constitutional and legal advice, primarily to the States that participate in its activities. In addition to opinions, the Commission also draws up general reports on the following main areas:

- ▶ The functioning of democratic institutions and the protection of fundamental rights;
- ▶ Elections, referendums and political parties;
- ▶ Constitutional justice.

In 2022, it was composed of 61 countries and 10 entities formally associated with its work.

Originally established as an urgent constitution-making tool in a democratic transition, the Commission has gradually become an internationally recognised independent forum for the exchange of legal ideas. The Commission promotes the European constitutional heritage, based on the main standards of the European continent, while continuing to provide “constitutional emergency assistance” in Europe and beyond.

The Venice Commission, officially the European Commission for Democracy through Law, is the Council of Europe's advisory body on constitutional matters.



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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

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.

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OBJECTIVE

■ Promoting efficient functioning of state institutions and public administration in Central Asia partner countries (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) is one of the objectives of the Central Asia Rule of Law Programme.

TARGET AUDIENCE

- ▶ National authorities in Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan:
 - Parliaments;
 - Ministries of justice and home affairs, ministries dealing with public administration reform, other competent ministries;
 - Constitutional, Supreme and ordinary courts;
 - High judicial councils;
 - Legal community at large.

EXPECTED RESULTS

- ▶ Development and adoption by the parliaments of relevant legislation in the field of rule of law, separation of powers and the judiciary, in line with international standards;
- ▶ Development of new legislation in the field of administrative law and justice, including the reform of public administration and Alternative Dispute Resolution;
- ▶ Increased professional capacities of representatives of public administration and the judiciary.

HOW DO WE WORK?

■ The objectives are achieved using the following delivery mechanisms:

- ▶ Legal opinions of the Venice Commission on draft laws or concept papers;
- ▶ Experts' recommendations on improving the existing legislation;
- ▶ Multilateral peer to peer activities involving judges and staff of constitutional courts on international standards and best practices;
- ▶ Peer to peer activities for senior public officials and representatives of the judiciary focusing on international standards applicable to national administrative law and in the justice sector, including the reform of public administration and Alternative Dispute Resolution;
- ▶ Peer to peer activities for senior public officials and representatives of the judiciary on good governance;
- ▶ Development and implementation of new programmes, mechanisms and procedures to be used by public administration or the judiciary;
- ▶ Development and expansion of new networks, partnerships and platforms for co-operation and information exchange both at the national and international level;
- ▶ Publications on subjects related to constitutional reforms, the judiciary and on the efficiency of public administrations in Central Asia.

BUDGET

- ▶ The budget of the Central Asia Rule of Law Programme amounts to 8 890 000 EUR (90% funded by the European Union, 10% by the Council of Europe).

MAIN ACTIVITIES IMPLEMENTED IN 2020-2021

- ▶ [Urgent amicus curiae brief relating to the postponement of elections motivated by constitutional reform](#), December 2020.
 - ▶ [Joint Opinion of the OSCE/ODIHR and the Venice Commission on the Draft Constitution of the Kyrgyz Republic](#), March 2021.
 - ▶ [Opinion on the Concept paper for improving the legal framework of the Constitutional Council of the Republic of Kazakhstan](#), March 2021.
 - ▶ Round table "Modern digital and Human Resources technologies in the selection of candidates for judges, assessment of work and promotion of judges", in cooperation with the High Judicial Council of the Republic of Kazakhstan, 25 November 2020.
 - ▶ Round table "Referral of the decisions to the Constitutional Council by ordinary courts", in cooperation with the Constitutional Council of the Republic of Kazakhstan, February 2021.
 - ▶ Seminar "Execution of the decisions of the Constitutional Courts and equivalent bodies – theory and practice" – International online Seminar, in cooperation with the Constitutional Council of the Republic of Kazakhstan, 25 June 2021.
 - ▶ Round table "Reforms of the Judiciary in Kazakhstan: addressing new challenges using the best international practices", in cooperation with the Supreme Court of the Republic of Kazakhstan, 27-28 October 2021.
 - ▶ Round table "Role and place of the judicial councils in the judiciary and their current models" in cooperation with the High Judicial Council of the Republic of Kazakhstan, 24 November 2021.
- The following opinions were also adopted by the Venice Commission at the request of the national authorities in Central Asia:
- ▶ [Opinion on the draft law "On the Commissioner for Human Rights in Republic of Kazakhstan"](#), December 2021.
 - ▶ [Joint opinion of the Venice Commission and OSCE/ODIHR on the draft Law "On freedom of conscience and religious organisations in Uzbekistan"](#), October 2020.
 - ▶ [Joint opinion of the Venice Commission and OSCE/ODIHR on the amendments to some legislative acts related to sanctions for violation of electoral legislation in Kyrgyz Republic](#), March 2020.