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Updating the Venice Commission Rule of Law Checklist: a contribution by the Assembly

Motion for a resolution

tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

In its [Resolution 1594 \(2007\)](#) “The principle of the Rule of Law”, the Parliamentary Assembly invited the European Commission for Democracy through Law (Venice Commission) to reflect in depth on the concepts of “rule of law” and “prééminence du droit”.

In March 2016, the Venice Commission adopted a [Rule of Law Checklist](#) in close co-operation with the Assembly which prepared a report on the same subject. In its [Resolution 2187 \(2017\)](#), the Assembly decided to endorse the Venice Commission’s checklist, to use it systematically in its own relevant work and to recommend to Council of Europe member States to do the same. The Assembly welcomed that there was a consensus as to the core elements covered by the terms “rule of law”, “Rechtsstaat” and “État de droit”, namely: legality, legal certainty, the prohibition of arbitrariness, access to justice, respect for human rights, non-discrimination and equality before the law.

Meanwhile, the Venice Commission decided to update and further broaden the scope of its Rule of Law Checklist, a process to be completed by the end of 2025, the year of the Venice Commission’s anniversary.

The Assembly should prepare a report on updating the Venice Commission’s Rule of Law Checklist with a view to contributing from a parliamentary perspective to this important endeavor.

