

**Council of Europe, European Commission for Democracy through Law
("Venice Commission")
Nino Dolbaia**

From September 2014 to January 2015 I undertook a traineeship as a legal intern at the European Commission for Democracy through Law (the "Venice Commission") of the Council of Europe in Strasbourg, France. This turned out to be one of the most instructive, illuminating and enjoyable experiences of my life – both personally and professionally – and without the financial support of the Human Rights Lawyers Association Bursary Scheme it would not have been possible; so, first and foremost, I would like to express my sincerest thanks to the HRLA for its support and generosity.

Being bilingual in English and Georgian and having completed Law with German Law at University College London (with my third year being spent in Munich, Germany), I knew I wanted to pursue a legal career – preferably one with a distinctly international aspect, where linguistic ability and cultural awareness were highly valued skills in the day-to-day work. Following my studies, I undertook an internship at the United Nations Development Programme (UNDP) in Georgia, at the Office of the High Commissioner for Human Rights. This experience not only opened my eyes to human rights and the ways in which they operate on a national level, but equally the importance of cooperation between nations, in order to aid one another's holistic development and advancement towards better governed, more pluralistic systems, where the rule of law represents the fundamental pillar upon which a truly free and democratic society can be built.

Thus, the Council of Europe – an organisation founded on international cooperation for the protection of human rights across the continent and beyond – offered an interesting insight and opportunity to enhance my knowledge and skills in this area. I was particularly interested in the work of the Venice Commission, set up specifically to provide legal aid and advice to "states in transition" and those wishing to bring their legal and institutional structures in line with European standards and international experiences in the fields of democracy, human rights and the rule of law. The Commission is an "Enlarged Agreement", meaning it includes the 47 member states of the Council of Europe (28 of which are also members of the European Union), plus 13 other countries, such as: Algeria, Tunisia, Mexico, the Republic of Korea etc., who are not European countries, but nevertheless wish to advance and develop into modern democratic states, governed by the rule of law and respect for human rights.

The opinions and studies provided by the Venice Commission are not binding on member states, which goes a long way towards explaining its effectiveness; many modern states are already bound by hundreds of rules and laws (both national and international) and so, there is no will to extend such provisions any further. The uniqueness and surprising influence of the Venice Commission lies in the fact that its recommendations can only be rendered following an official request on behalf of the member states *themselves* – usually relating to constitutional or electoral legal matters – after which an open discussion and adoption process is conducted at quarterly Plenary Sessions held in Venice, Italy, in the presence and assent of all the permanent representatives of each member state. It is very much about reaching a common consensus, so as to: "ensure the dissemination and consolidation of a common constitutional heritage" and witnessing this process from start to finish was an enormous privilege, for which I remain incredibly grateful.

At the beginning of September, we had a week of introductory talks from each major department of the Council of Europe, which turned out to be very insightful and relevant for the 60 trainees involved in the Traineeship programme. This week also allowed the trainees to get to know one another better and I felt truly inspired being in the company of so many young, passionate, multi-lingual individuals, stemming from all corners of the European continent. After the first week was over, I was placed (alongside an Italian trainee) under the supervision of one of the lawyers in the Elections and Referendums Division of the Venice Commission, where we were almost immediately tasked with drafting a legal memorandum for the delegates of the Parliamentary Assembly of the Council of Europe (PACE), travelling to Bosnia and Herzegovina on an electoral observation mission the following week. As stressful as this sounds for those as inexperienced in these matters as we were, we had plenty of support and guidance from our supervisor, who made sure we always had interesting and engaging tasks, that allowed us to gain a true insight into the work and operating methods of the Commission.

From drafting legal memoranda, we progressed to writing “follow-up” documents on the status of particular reforms being conducted in Hungary for example; we undertook background research on the status of judicial reforms in Albania for the purposes of briefing an Expert, who was to give a presentation at a round-table with Albanian government officials; we assisted in compiling data on an extensive study of the electoral codes of over 60 countries and compared draft laws and adopted laws on the reform of the judiciary in Ukraine. I found that my language skills came into use when translating a Georgian legal provision or conducting research for an *amicus curiae* (legal brief), requested by the Georgian Constitutional Court, on the status of the law on the defamation of deceased persons; the highlight of my work experience was seeing my research on this topic used in the final, adopted version of the legal brief presented at the 101st Plenary Session of the Venice Commission at the breath-taking 13th Century Scuola Grande di San Giovanni Evangelista, which both my colleague and I had the pleasure of attending in December.

It is fair to say that I had a thoroughly varied, immersive and stimulating experience during my time spent in Strasbourg; I learnt much about the main legal and political issues facing European states in particular, who are all at different stages of development in their history, yet vitally, must work together to ensure progress and prevent conflict. Moreover, the experience helped to highlight the current position of Great Britain within Europe: through its continuing economic, political and legal influence on the development and progress of “new democracies”; but also the vital significance of the country remaining in the European Union, in order to disseminate its great democratic traditions and experiences to others desiring change, whilst aiding *itself* to stay ahead of ever-changing, global socio-political developments.

On a personal level the experience was thoroughly beneficial, as I acquired new skills, such as: a basic command of the French language, as well as the ability to play touch rugby and mountain hike in the nearby French Alps. I also made lasting friendships with both colleagues at the Council and the local ‘Strasbourggeoise’, and these happy memories will remain with me for the rest of my life. I would thoroughly recommend seeing the operation of the Council of Europe and all its organs, in particular the European Court of Human Rights, first hand for anyone interested in human rights on a multinational scale. Furthermore, I believe that undertaking this internship has given me the necessary tools to pursue a future career in the human rights field and I would like to thank the HRLA, once again, for bringing me one step closer towards the achievement of this goal.