



Strasbourg, 1 February 2005

Restricted  
**CDL(2005)012syn**  
Or. Engl.

**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

(VENICE COMMISSION)

**Visit of Venice Commission delegation to Georgia  
(27-28 January 2005)**

S Y N O P S I S

Following a request by the Minister for Foreign Affairs of Georgia, Ms Zourabichvili, a Venice Commission delegation consisting of Messrs Malinverni (Switzerland), Bartole (Italy) and Vogel (Sweden) together with Messrs Buquicchio and Markert, respectively Secretary and Deputy Secretary of the Commission, visited Georgia on 26 to 29 January. The purpose of the visit was to assist the working group which has the task of preparing a document on the status of South Ossetia.

The delegation met the heads of the institutions represented in the working group and their collaborators, in particular its chairman, Minister of Justice Papuashvili, Prime Minister Zhvania, Minister for Foreign Affairs Zourabichvili, Minister for Conflict Resolution Khaindrava, President of the Constitutional Court Khetsuriani, Speaker of Parliament Burjanadze as well as chairpersons of the parliamentary committees, the drafters of a concept paper on the status of Abkhazia, and, at their request, representatives of the (opposition) conservative parliamentary faction and of two NGOs (Georgian Young Lawyers Association and the Georgian Ossetian Union IBER-IRON). As regards international institutions the delegation met EU Special Representative Talvitie (who had suggested to the Georgian authorities to involve the Venice Commission) together with representatives of the Polish chair and Dutch EU chair as well as representatives of OSCE, EUJUST Themis and UNOMIG. Meetings were also held with representatives of the International Institute for Strategic Studies and the International Crisis Group.

The delegation considered the plan for South Ossetia presented by President Saakashvili at the Parliamentary Assembly session of 26 January 2005 as a good and promising point of departure. At the moment the plan is however still drafted in quite general terms and it will have to be completed and made more concrete. The Venice Commission will assist the working group in this task. The initial comments and suggestions of the delegation members

will be sent to the Georgian authorities in the first half of February. Thereafter the working group will prepare a new more comprehensive version of the plan.

The delegation was however also made aware that the situation on the ground remains tense following the incidents of last year.

Other issues of mutual interest were also raised during the visit. The delegation raised the concern that the draft constitutional amendments submitted to parliament in December 2004 were detrimental to the independence of the judiciary. The Minister of Justice informed the delegation that these amendments would be revised and that a new version would be submitted to the Commission for its opinion shortly.

Both the printed and electronic media provided extensive coverage of the visit. The delegation highly appreciated the efficient preparation of the visit by the Council of Europe office in Tbilisi, in particular the assistance provided by the acting director of the Information Office George Jashi.