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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

95th PLENARY SESSION
Venice, Scuola Grande di San Giovanni Evangelista
Friday, 14 June 2013 (9.00 a.m.) -
Saturday, 15 June 2013 (1.00 p.m.)

DRAFT ANNOTATED AGENDA

Friday, 14 June 2013

9h00-10h45

*Opening session
Co-operation with Council of Europe bodies
Follow up to earlier Venice Commission opinions
Discussion and adoption of opinions on individual countries*

1. Adoption of the Agenda**2. Communication by the President**

The President will present his recent activities (see document [CDL\(2013\)026](#)).

3. Communication by the Secretariat**4. Co-operation with the Committee of Ministers**

Within the framework of its co-operation with the Committee of Ministers, the Commission will hold an exchange of views with Ambassador Claus von Barnekow, Permanent Representative of Denmark to the Council of Europe Ambassador Matthew Johnson, Permanent Representative of the United Kingdom to the Council of Europe and with Mr Evan G. Reade, Consul General, Deputy Permanent Observer of the United States of America to the Council of Europe.

5. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Mr Mevlüt Çavuşoğlu, Former President of the Parliamentary Assembly and with Mr Christopher Chope, Chairperson of the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe, on co-operation with the Assembly.

The opinions on Monaco, “the former Yugoslav Republic of Macedonia”, Ukraine (Referendum), as well as prohibition of so-called Propaganda of Homosexuality (see items 11, 12, 16 and 18) fall into the framework of co-operation with the Parliamentary Assembly.

6. Co-operation with the Congress of Local and Regional Authorities of the Council of Europe

The Commission is invited to hold an exchange of views with Mr Lars O. Molin, Chair of the Monitoring Committee of the Congress.

7. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to:

- Opinion on the compatibility with human rights standards of the legislation on non-governmental organisations of the Republic of Azerbaijan ([CDL-AD\(2011\)035](#));
- Opinion on the practice of blanket resignation of Ministers in the Federation of Bosnia and Herzegovina ([CDL-AD\(2012\)021](#));
- Joint opinion on the election code of Bulgaria ([CDL-AD\(2011\)013](#));

- Opinion on the Draft Amendments to the Organic Law on Courts of General Jurisdiction of Georgia ([CDL-AD\(2013\)007](#));
- Opinion on the Draft New Constitution of Iceland ([CDL-AD\(2013\)010](#)).

The draft opinions on Bosnia and Herzegovina, Hungary, Montenegro, “the former Yugoslav Republic of Macedonia” and Ukraine (Constitutional amendments on the Judiciary and electoral legislation), as well as the discussions on Romania (see items 8, 10, 12, 14, 16 and 20) are a follow-up to previous opinions adopted on these countries.

8. Montenegro

Mr Ranko Krivokapic, Speaker of the Parliament of Montenegro, will inform the Commission about progress in the reform of the constitutional provisions on the judiciary following the Opinion on two sets of draft amendments to the constitutional provisions relating to the judiciary of Montenegro ([CDL-AD\(2012\)024](#)).

9. Azerbaijan

The Commission will be informed on progress of work on the opinion on the Draft Law on Protection from Defamation of Azerbaijan (see document [CDL-REF\(2013\)022](#)).

10h45-11h00	Coffee break
11h00-13h00	Discussion and adoption of opinions on individual countries (Continued)

10. Hungary

The Commission is invited to hold an exchange of views with the representative of Hungary and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)023](#)) on the Fourth amendment to the Fundamental Law of Hungary ([CDL-REF\(2013\)014](#) and [016](#); see also documents [CDL-REF\(2013\)017](#), [018](#) and [019](#)), drawn up, at the request of the Secretary General of the Council of Europe and of the Hungarian authorities, on the basis of comments by Mr Grabenwarter, Mr Hoffmann-Riem, Ms Suchocka, Mr Tuori and Mr Velaers. The Sub-Commission on Democratic Institutions will examine this draft opinion at its meeting on 13 June 2013.

11. Monaco

The Commission is invited to hold an exchange of views with the representatives of Monaco and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)022](#)) on the balance of powers in the Constitution and the legislation of the Principality of Monaco ([CDL-REF\(2013\)021](#) and [CDL-REF\(2013\)029](#)), drawn up, at the request of the Parliamentary Assembly of the Council of Europe, on the basis of comments by Mr Scholsem, Mr Sørensen, Mr Trocsanyi and Mr Vermeulen. The Sub-Commission on Democratic Institutions will examine this draft opinion at its meeting on 13 June 2013.

13h00-14h30	Lunch
14h30-16h00	Discussion and adoption of opinions on individual countries (Continued)

12. Ukraine

The Commission is invited to hold an exchange of views with Mr Leonid Kravchuk, President, Constitutional Assembly of Ukraine, Mr Andriy Portnov, Adviser to the President of Ukraine and with Mr Valeriy Pysarenko, Chairman, Committee on Judicial Policy, Verkhovna Rada of Ukraine, and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)025](#)) on the Constitutional amendments on the Judiciary of Ukraine ([CDL-REF\(2013\)020](#)), drawn up on the basis of comments by Mr Hamilton, Ms Suchocka, Mr Tanchev and Mr Tuori. The Sub-Commission on the Judiciary will examine this draft opinion at its meeting on 13 June 2013.

The Commission is invited to hold an exchange of views with Mr Oleksandr Lavrynovych, Minister of Justice of Ukraine and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)029](#)) on the law on referendum of Ukraine ([CDL-REF\(2013\)015](#)) drawn up, at the request of the Parliamentary Assembly of the Council of Europe, on the basis of comments by Mr Paczolay, Mr Sanchez Navarro and Mr Tuori. The Council for Democratic Elections will examine this draft opinion at its meeting on 13 June 2013.

The Commission is invited to hold an exchange of views with Mr Oleksandr Lavrynovych, Minister of Justice of Ukraine and examine, with a view to adoption, the draft joint opinion by the Venice Commission and the OSCE/ODIHR ([CDL\(2013\)019](#)) on draft amendments to the Electoral legislation of Ukraine ([CDL-REF\(2013\)025](#) and [028](#)), drawn up on the basis of comments by Mr Paczolay and Mr Pilgrim (OSCE/ODIHR expert). The Council for Democratic Elections will examine this draft opinion at its meeting on 13 June 2013.

13. Georgia

The Commission is invited to hold an exchange of views with Ms Tea Tsulukiani, Minister of Justice of Georgia and to examine, with a view to adoption, the draft joint opinion by the Venice Commission and the Directorate for Justice and Human Dignity of the Directorate General of Human Rights and Rule of Law (DGI) ([CDL\(2013\)030](#)) on the draft law of Georgia on a Temporary State Commission on Miscarriages of Justice ([CDL-REF\(2013\)024](#)), drawn up on the basis of comments by Mr Esanu, Mr Hamilton, Mr Sanchez Navarro and Ms Kristiansen (DGI expert). The Sub-Commission on the Judiciary will examine this draft opinion at its meeting on 13 June 2013.

16h00-16h15	<i>Coffee Break</i>
16h15-18h00	<i>Discussion and adoption of opinions on individual countries (Continued)</i>

14. Bosnia and Herzegovina

The Commission is invited to hold an exchange of views with Mr Srđan Radulj, Deputy Minister of Justice of Bosnia and Herzegovina, and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)024](#)) on the draft law on Courts of Bosnia and Herzegovina ([CDL-REF\(2013\)023](#)), drawn up on the basis of comments by Ms Bilkova, Mr Hamilton and Mr Vardzelashvili. The Sub-Commission on the Judiciary will examine this draft opinion at its meeting on 13 June 2013.

15. Mexico

The Commission is invited to hold an exchange of views with Mr Leonardo Valdés Zurita, President, Federal Electoral Institute of Mexico and to examine, with a view to adoption, the draft opinion ([CDL\(2013\)004](#)) on the electoral legislation of Mexico ([CDL-REF\(2013\)002](#)), drawn up on the basis of comments by Ms Biglino Campos, Mr Darmanovic and Mr Tanchev.

The Council for Democratic Elections will examine this draft opinion at its meeting on 13 June 2013.

16. “The former Yugoslav Republic of Macedonia”

The Commission is invited to examine, with a view to adoption, the draft joint opinion by the Venice Commission and the OSCE/ODIHR ([CDL\(2013\)020](#)) on the Electoral Code of “the former Yugoslav Republic of Macedonia” ([CDL-REF\(2013\)013](#)), drawn up, at the request of the Parliamentary Assembly of the Council of Europe, on the basis of comments by Mr Kask and Mr Bisson (OSCE/ODIHR expert). The Council for Democratic Elections will examine this draft opinion at its meeting on 13 June 2013.

17. Tunisia

The Commission is invited to examine, with a view to adoption, the draft joint opinion by the Venice Commission and the OSCE/ODIHR ([CDL\(2013\)027](#)) on the law on the High Committee for Human Rights and Fundamental Freedoms of Tunisia ([CDL-REF\(2013\)027](#)), drawn up on the basis of comments by Ms Err, Mr Huseynov, Mr Sørensen and Mr Nowicki (OSCE/ODIHR expert).

The Commission will be informed on progress of work in drafting the new Constitution.

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| 18h45 | Boat from Piazzale Roma (Imbarcadero Casinò opposite the Hotel Santa Chiara) to Lido di Venezia |
| 19h45 | Dinner at Aerostazione Nicelli, Lido di Venezia |
| 22h30 | Return to Venice |

Saturday, 15 June 2013

9h00-11h00	<i>Discussion and adoption of draft opinions</i> <i>Egypt</i> <i>Romania</i> <i>Co-operation with Latin America</i> <i>Co-operation with other countries</i> <i>Information on Constitutional developments in other countries</i>
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18. Prohibition of so-called Propaganda of Homosexuality

The Commission is invited to examine, with a view to adoption, the draft opinion ([CDL\(2013\)028](#)) on prohibition of so-called Propaganda of Homosexuality drawn up, at the request of the Parliamentary Assembly of the Council of Europe, on the basis of comments by Ms Flanagan, Mr Velaers and Mr Djeric.

19. Egypt

The Commission will be informed on the meetings with the Egyptian Authorities on the drafting of a law on NGOs in Cairo on 11-12 March 2013 and is invited to take note of the report on “Standards and legislation relating to Freedom of Association and Non-Governmental Organisations” ([CDL\(2013\)017](#) and [018](#)) drawn up by Mr Paczolay following this visit.

20. Romania

The Commission will be informed on the results and conclusions of the Conference on the Constitutional Process in Romania which took place in Bucharest on 8-9 May 2013.

In addition, the Commission will be informed on further co-operation in the process of constitutional reform in Romania.

21. Co-operation with Latin America

The Commission will be informed on planned activities in Latin America.

22. Co-operation with other countries*Jordan*

Mr Taher Hikmat, President of the Constitutional Court of Jordan will inform the Commission on the setting up of the Constitutional Court and possible co-operation with the Commission in the field of constitutional justice.

Morocco

The Commission will be informed on recent activities in Morocco.

23. Information on constitutional developments in other countries*Turkey*

The Commission will be informed on recent constitutional developments in Turkey.

<i>11h00-11h15</i>	<i>Coffee break</i>
<i>11h15-12h45</i>	<i>Constitutional Justice</i>
	<i>Organisation of Conferences</i>
	<i>Studies and reports</i>
	<i>Report of the meeting of the Council for Democratic Elections</i>

24. Constitutional Justice

The President will inform the Commission on the preparation of the 3rd Congress of the World Conference on Constitutional Justice in view of the meeting of the Bureau of the World Conference which will take place in Venice on Saturday, 15 June 2013 following the session.

25. International Conference on Political Party Regulation in the Southern Neighbourhood (Bucharest, October 2013)

The Commission will be informed on progress in the organisation of an International Conference on Political Party Regulation in the Southern Neighbourhood which will take place in Bucharest in October 2013.

26. Conference on “The European legal standards and the scope of the discretion of powers in the member states of the Council of Europe” (Yerevan, 3-4 July 2013)

The Commission will be informed on progress in the organisation of a Conference on “the European legal standards and the scope of the discretion of powers in the member states of the Council of Europe” which will take place in Yerevan on 3-4 July 2013, in the framework of the Armenian Chairmanship of the Committee of Ministers.

27. Study on Children’s rights in Constitutions

The Commission will be informed on the progress of the preparation of the study on Children’s rights in Constitutions.

28. Report of the meeting of the Council for Democratic Elections (13 June 2013)

The President of the Council will inform the Commission on the results and conclusions of the meeting held on 13 June 2013.

[Link to annotated agenda](#)

The draft opinions on Mexico and Ukraine (Referendum) and the draft joint opinions of the Venice Commission and the OSCE/ODIHR on “the former Yugoslav Republic of Macedonia” and Ukraine (Electoral Code) will be dealt with under items 12, 15 and 16 above.

12h45-13h00	<i>Closing session</i>
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29. Other business

30. Dates of the next sessions

The remaining sessions for 2013 are confirmed as follows:

96 th Plenary Session	11-12 October 2013
97 th Plenary Session	6-7 December 2013

Sub-Commission meetings as well as meetings of the Council for Democratic Elections will take place on the day before the Plenary Sessions.

The Commission is invited to confirm the schedule of sessions for 2014 as follows:

98 th Plenary Session	21-22 March 2014
99 th Plenary Session	20-21 June 2014
100 th Plenary Session	17-18 October 2014
101 st Plenary Session	12-13 December 2014

Sub-Commission meetings as well as meetings of the Council for Democratic Elections will take place on the day before the Plenary Sessions.

[Link to the provisional list of participants](#)

[Link to list of meetings](#)

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