



Strasbourg 28 November 2014

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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

101st PLENARY SESSION
(Venice, Scuola Grande di San Giovanni Evangelista)
Friday, 12 December 2014 (9.00 a.m.) -
Saturday, 13 December 2014 (12.30 p.m.)

DRAFT ANNOTATED AGENDA

Friday, 12 December 2014

9h00-10h45

*Opening session
Co-operation with Council of Europe organs
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\(2014\)060](#)).

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 Petar Pop-Arsov, Permanent Representative of “the former Yugoslav Republic of Macedonia” to the Council of Europe, with Ambassador Joseph Filletti, Permanent Representative of Malta to the Council of Europe and with Ambassador Astrid Emilie Helle, Permanent Representative of Norway to the Council of Europe.

5. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Mr Jean-Claude Mignon, Former President of the Parliamentary Assembly of the Council of Europe and with Mr Christopher Chope, Member 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 opinion on Ukraine (see item 8) falls 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 Philippe Receveur, Chair of the Monitoring Committee of the Congress and with Mr Alain Delcamp, former Chair of the Group of Independent Experts, the Congress' adviser on constitutional matters.

7. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to:

Amicus curiae brief on the Immunity of Judges for the Constitutional Court of Moldova ([CDL-AD\(2013\)008](#));

Joint Opinion on the Draft Law on the Public Prosecutor's Office of Ukraine ([CDL-AD\(2013\)025](#); see document [CDL-REF\(2014\)047](#));

Opinion on the Draft Law on making changes and additions to the Civil Code (introducing compensation for non-pecuniary damage) of the Republic of Armenia ([CDL-AD\(2013\)037](#); see document [CDL-REF\(2014\)049](#));

Opinion on the Draft Concept Paper on the Constitutional Reforms of the Republic of Armenia ([CDL-AD\(2014\)027](#); see document [CDL-REF\(2014\)050](#)).

The draft opinions on Montenegro (see item 11) are a follow-up to previous opinions adopted by the Commission on this country.

8. Ukraine

The Commission is invited to hold an exchange of views with the representative of Ukraine and to examine, with a view to adoption, the draft joint opinion by the Venice Commission and DGI ([CDL\(2014\)052](#)) on the Law on Government Cleansing ("Lustration Law") of Ukraine ([CDL-REF\(2014\)046](#)) drawn up on the basis of comments by Ms Bilkova, Mr Haenel, Mr Papuashvili, Ms Peters, Ms Suchocka, Mr Vermeulen and Mr Gerhardt Reissner (DGI expert).

The Sub-Commissions on Democratic Institutions and on Fundamental Rights will examine this draft opinion at the joint meeting on 11 December 2014.

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

9. Azerbaijan

The Commission is invited to hold an exchange of views with the representative of Azerbaijan and to examine, with a view to adoption, the draft opinion ([CDL\(2014\)057](#)) on the Law on non-governmental organisations (Public Association and Funds), as amended, of Azerbaijan ([CDL-REF\(2014\)053](#)) drawn up on the basis of comments by Ms Bilkova, Mr Clayton, Ms Thorgeirsdottir and Mr van Dijk (Venice Commission expert).

The Sub-Commissions on Democratic Institutions and on Fundamental Rights will examine this draft opinion at the joint meeting on 11 December 2014.

10. Georgia

The Commission is invited to examine, with a view to adoption, the draft *Amicus Curiae* brief ([CDL\(2014\)054](#)) for the Constitutional Court of Georgia on the question of the defamation of the deceased drawn up on the basis of comments by Mr Huseynov, Mr Medina and Ms Thorgeirsdottir.

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

11. Montenegro

The Commission is invited to hold an exchange of views with the representative of the Ministry of Justice of Montenegro and to examine, with a view to adoption, the draft opinion ([CDL\(2014\)053](#)) on the Draft law on the rights and duties of judges and the judicial council of Montenegro ([CDL-REF\(2014\)044](#)) and on the Draft law on Courts of Montenegro ([CDL-](#)

[REF\(2014\)043](#)) drawn up on the basis of comments by Mr Hirschfeldt, Ms Suchocka, Mr Tuori and Mr Velaers.

The Commission is invited to hold an exchange of views with the representative of the Ministry of Justice of Montenegro and to examine, with a view to adoption, the draft opinion ([CDL\(2014\)055](#)) on the Draft law on State Prosecutor's Office of Montenegro ([CDL-REF\(2014\)045](#)) drawn up on the basis of comments by Mr Frenedo, Mr Neppi Modona, Mr Sorensen and Mr Hamilton (Venice Commission expert).

The Commission is invited to hold an exchange of views with the representative of the Ministry of Justice of Montenegro and to examine, with a view to adoption, the draft opinion ([CDL\(2014\)056](#)) on the Draft law on Special Prosecutor's Office of Montenegro ([CDL-REF\(2014\)042](#)) drawn up on the basis of comments by Mr Neppi Modona, Mr Sorensen, Mr Toader and Mr Hamilton (Venice Commission expert).

16h00-16h15	<i>Coffee Break</i>
16h15-18h00	<i>Studies and Reports</i> <i>Co-operation with the European Network of Councils for the Judiciary</i>

12. Joint Guidelines on Freedom of Association by the Venice Commission and the OSCE/ODIHR

The Commission is invited to examine, with a view to adoption, the draft joint Guidelines by the Venice Commission and the OSCE/ODIHR on Freedom of Association ([CDL\(2014\)059](#)) drawn up on the basis of comments by Ms Bilkova, Ms Thorgeirsdottir, Mr van Dijk (Venice Commission expert) and OSCE/ODIHR experts.

The Sub-Commissions on Democratic Institutions and on Fundamental Rights will examine these joint guidelines at the joint meeting on 11 December 2014.

13. Co-operation with the European Network of Councils for the Judiciary (ENCJ)

The Commission is invited to hold an exchange of views with Mr Geoffrey Vos, President elect, European Network of Councils for the Judiciary.

19h15	Departure by bus from Venice
20h00	Dinner at Trattoria dall'Amelia, Mestre http://www.dallamelia.it/
22h30	Return to Venice

Saturday, 13 December 2014

9h00-11h00

Discussion and adoption of opinions on individual countries (Continued)
Co-operation with other countries
Information on constitutional developments in other countries
Co-operation with the Inter-American Court of Human Rights
Co-operation with the INGO Conference Expert Council
Co-operation with the International Ombudsman Institute

14. Republic of Moldova

The Commission is invited to examine, with a view to adoption, the draft *Amicus Curiae* brief ([CDL\(2014\)061](#)) for the Constitutional Court of the Republic of Moldova on certain provisions of the Law on professional integrity testing (anti-corruption law) of the Republic of Moldova concerning, in particular, constitutional court and ordinary court judges ([CDL-REF\(2014\)041](#)) drawn up on the basis of comments by Mr Kang, Mr Vardzelashvili, Mr Vermeulen and Mr Rainer Hornung (GRECO Expert).

15. Co-operation with other countries

Albania

The Commission will be informed on progress of work on judicial reform in Albania.

16. Information on constitutional developments in other countries

Kazakhstan

Mr Rakhmet Mukashev, Chairman of the Committee on the Legislation and Judicial and legal reform of the Majilis of Kazakhstan Parliament, will inform the Commission about the latest legal developments in Kazakhstan and co-operation with Parliament.

Romania

Mr Augustin Zegrean, President of the Constitutional Court of Romania will inform the Commission on recent constitutional developments in Romania.

United Kingdom

Mr Clayton will inform the Commission on recent developments in the United Kingdom.

17. Co-operation with the Inter-American Court of Human Rights

The Commission is invited to hold an exchange of views with Mr Humberto Sierra, President of the Inter-American Court of Human Rights.

18. Co-operation with the INGO Conference Expert Council

The Commission is invited to hold an exchange of views with Mr Cyril Ritchie, President of the INGO Conference Expert Council.

19. Co-operation with the International Ombudsman Institute

The Commission is invited to hold an exchange of views with Mr Rafael Ribo, Chairman of the European Chapter of the International Ombudsman Institute on the modalities of future co-operation.

11h00-11h15	<i>Coffee Break</i>
11h15-12h45	<i>Elections</i>
	<i>Report of the meetings of the Sub-Commission on Working Methods</i>
	<i>Report of the meeting of the Scientific Council</i>
	<i>Information on the Association of Former Venice Commission members</i>

20. Election of the Co-Chair of the Joint Council on Constitutional Justice and of the Chair of the Sub-Commission on Latin America

The Commission is invited to elect the Co-Chair of the Joint Council on Constitutional Justice and the Chair of the Sub-Commission on Latin America who will complete the mandates of the previous incumbents until December 2015.

21. Report of the meeting of the Sub-Commission on Working Methods (11 December 2014)

The Chair of the Sub-Commission will inform the Commission on the results and conclusions of the meeting held on 11 December 2014.

[Link to annotated agenda](#)

22. Report of the meeting of the Scientific Council (11 December 2014)

The President of the Scientific Council will inform the Commission on the results and conclusions of the meeting held on 11 December 2014.

23. Information on the Association of former Venice Commission members

The Commission will be informed on the creation of an Association of former Venice Commission members and substitute members.

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

25. Dates of the next sessions

The schedule of sessions for 2015 is confirmed as follows:

102 nd Plenary Session	20-21 March 2015
103 rd Plenary Session	19-20 June 2015
104 th Plenary Session	23-24 October 2015
105 th Plenary Session	18-19 December 2015

Sub-Commission meetings as well as the 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](#)

[Link to table plan](#)