



Strasbourg 2 June 2017

CDL-PL-OJ(2017)002ann
Or. Engl

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

111th PLENARY SESSION
Venice, Scuola Grande di San Giovanni Evangelista
Friday, 16 June 2017 (9.00 a.m.-6.00 p.m.) -
Saturday, 17 June 2017 (9.00 a.m.-1.00 p.m.)

DRAFT ANNOTATED AGENDA

Friday, 16 June 2017

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\(2017\)015](#)).

3. Communication from the Enlarged Bureau

The Commission will be informed on the discussions which took place at the meeting of the Enlarged Bureau on 15 June 2017.

4. Communication by the Secretariat**5. 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 Christopher Yvon, Permanent Representative of the United Kingdom to the Council of Europe and with Ambassador Paruyr Hovhannisyan, Permanent Representative of Armenia to the Council of Europe.

6. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Ms Anne Brasseur, Former President of the Parliamentary Assembly and with Mr Philippe Mahoux, 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 draft opinion on the Electoral Law of Bulgaria, on the draft law of Hungary on the transparency of organisations receiving support from abroad and on the amendments to the National Tertiary Education Act of Hungary (see items 13 and 14), fall into the framework of co-operation with the Parliamentary Assembly.

7. 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 Stewart Dickson, member of the Chamber of Regional Authorities, on co-operation with the Congress.

8. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to:

Amicus curiae brief for the Constitutional Court of the Republic of Moldova on the criminal liability of judges ([CDL-AD\(2017\)002](#));

Opinion on the Amendments to the Organic Law on the Constitutional Court of Georgia and to the Law on Constitutional Legal Proceedings of Georgia ([CDL-AD\(2016\)017](#));

Joint opinion on the draft checklist for compliance with international standards and best practices preventing misuse of administrative resources during electoral processes at local and regional level of the Congress of Local and Regional Authorities of the Council of Europe ([CDL-AD\(2017\)006](#));

Opinion on the amendments to the Constitution of Kazakhstan ([CDL-AD\(2017\)010](#));

Opinion on the draft Law on the Constitutional Court of Ukraine ([CDL-AD\(2016\)034](#)).

9. Armenia

The Commission is invited to hold an exchange of views with Ms Arpine Hovhannisyan, Vice President of the National Assembly of Armenia, and to examine, with a view to adoption, the draft opinion ([CDL\(2017\)021](#)) on the draft Law on the Constitutional Court of Armenia ([CDL-REF\(2017\)019](#)) drawn up on the basis of comments by Mr Endzins, Mr Grabenwarter, Ms Hermanns and Mr Tuori.

Ms Arpine Hovhannisyan, Vice President of the National Assembly of Armenia, will inform the Commission on the follow-up to the opinions on the new Electoral code of Armenia in the light of the parliamentary elections which took place on 2 April 2017.

In addition, the Commission will be informed on progress of work on the draft opinion on the draft Judicial Code of Armenia and may be invited to authorise the rapporteurs (Mr Esanu, Mr Hirschfeldt, Mr Neppi Modona and Mr Varga) to provide a preliminary opinion to be sent to the Armenian authorities prior to the October session.

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

10. Georgia

The Commission is invited to hold an exchange of views with Mr Irakli Kobakhidze, Speaker, Parliament of Georgia, and to examine, with a view to adoption, the draft opinion ([CDL\(2017\)019](#)) on the draft revised Constitution of Georgia ([CDL-REF\(2017\)027](#)) drawn up on the basis of comments by Mr Alivizatos, Mr Castella Andreu, Mr Frendo and Ms Kiener. The Sub-Commission on Democratic Institutions will examine the draft opinion at its meeting on 15 June 2017.

11. Republic of Moldova

The Commission is invited to hold an exchange of views with Mr Maxim Lebedinski, Adviser to the President of the Republic of Moldova on institutional relations and legal issues, and to examine, with a view to adoption, the draft opinion ([CDL\(2017\)017](#)) on the Proposal by the President of the Republic of Moldova to expand the President's powers to dissolve Parliament ([CDL-REF\(2017\)026](#)) drawn up on the basis of comments by Ms Bilkova, Mr Dimitrov, Mr Holovaty and Mr Tuori. The Sub-Commission on Democratic Institutions will examine the draft opinion at its meeting on 15 June 2017.

The Commission is invited to hold an exchange of views with Mr Andrian Candu, Speaker, Parliament of the Republic of Moldova, and to examine, with a view to adoption, the draft joint

opinion by the Venice Commission and the OSCE/ODIHR ([CDL\(2017\)016](#)) on the draft law of the Republic of Moldova relating to the electoral system for the election of the Parliament ([CDL-REF\(2017\)028](#); see also documents [CDL-REF\(2017\)020](#), [021](#) and [022](#)) drawn up on the basis of comments by Mr Barrett, Mr Holmøyvik and Mr Kask as well as OSCE/ODIHR experts. The Council for Democratic Elections will examine this draft joint opinion at its meeting on 15 June 2017.

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 Pavlo Pinzenik, First Deputy Chair, Committee on the Rules of Procedure and Internal Organisation of the Verkhovna Rada, and will be informed on progress of work on the draft opinion on the Draft Law on amendments to the Rules of procedure of the Verkhovna Rada of Ukraine, following the meetings of the Rapporteurs (Mr Frenedo, Mr Vilanova Trias, Mr Delcamp and Ms Suchocka) with the Ukrainian authorities which took place in Kyiv and in Venice.

13. Bulgaria

The Commission is invited to hold an exchange of views with Mr Dimitar Glavchev, Chairperson of the National Assembly of Bulgaria, and to examine, with a view to adoption, the draft joint opinion by the Venice Commission and the OSCE/ODIHR ([CDL\(2017\)001](#)) on amendments to the Electoral Code of Bulgaria ([CDL-REF\(2017\)024](#)) drawn up on the basis of comments by Mr Holmøyvik and Mr Kask as well as OSCE/ODIHR experts. The Council for Democratic Elections will examine this draft joint opinion at its meeting on 15 June 2017.

16h00-16h15	Coffee Break
16h15-18h00	Discussion and adoption of Opinions on individual countries (Continued)

14. Hungary

The Commission is invited to hold an exchange of views with Mr László Trócsányi, Minister of Justice of Hungary, and to endorse the preliminary opinion ([CDL-PI\(2017\)002](#)) on the draft law of Hungary on the transparency of organisations receiving support from abroad ([CDL-REF\(2017\)025rev](#)) drawn up on the basis of comments by Ms Bilkova, Mr Clayton and Ms Kjerulf Thorgeirsdottir. The Bureau authorised this preliminary opinion to be issued under the responsibility of the rapporteurs.

In addition the Commission will be informed on progress of work on the draft opinion on the amendments to the Tertiary Education Act of Hungary and on the draft opinion on questions related to the protection of privacy.

19h45 Dinner
Restaurant F30
Stazione FS
Fondamenta Santa Lucia
Venezia
Tel: +39 041 5256154

[Link to F30 web site](#)

[Link to map showing situation of F30](#)

Saturday, 17 June 2017

9h00-10h30	<i>Co-operation with other countries Information on constitutional developments in other countries Information on Conferences and Seminars</i>
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15. Co-operation with other countries

Poland

The Commission will be informed on future co-operation with Poland.

16. Information on constitutional developments in other countries

Brazil

Ms Antunes Rocha will inform the Commission on recent constitutional developments in Brazil.

Tunisia

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

17. Information on Conferences and Seminars

The Commission will be informed on the results and conclusions of:

- the 5th Intercultural Workshop on Democracy organised in the framework of the Cyprus Presidency of the Committee of Ministers of the Council of Europe and in co-operation with the Ministry of Foreign Affairs of Cyprus, entitled "Interaction between Constitutional Courts and equivalent jurisdictions and ordinary courts" which took place in Nicosia on 3-4 April 2017;
- the Conference entitled "The interaction between the political majority and the opposition in a democracy" organised in co-operation with the Presidency of Romania, which took place in Bucharest on 6-7 April 2017;
- the 14th European Conference of Electoral Management Bodies on "Operational EMBs for democratic elections" which took place in St Petersburg on 15-16 May 2017;
- Seminar entitled "the international legal order in a changing world: challenges for the monitoring procedure of the Parliamentary Assembly of the Council of Europe" which took place in Helsinki on 16 May 2017.

18. Constitutional and Legal Principles on Ombudsman Institutions

The Commission is invited to hold an exchange of views with Mr Igli Totozani, Former Advocate of the Albanian People, and former President of the Association of the Mediterranean Ombudsmen (AOM) and with Mr Marc Bertrand, Mediator of Wallonia, of the Wallonia-Brussels Federation (Belgium) and President of the Association of Ombudsmen and Mediators of the French-speaking World (AOMF), against the background of a proposal by the President of the Scientific Council to compile a list of constitutional and legal principles pertaining to Ombudsman institutions and following the discussions which took place at the the joint meeting of the Sub-Commission on Fundamental Rights and the Scientific Council on 15 June 2017.

10h30-10h45	<i>Coffee Break</i>
10h45-12h45	<i>Studies and reports</i> <i>Report of the meeting of the Joint Council on Constitutional Justice</i> <i>Report of the meeting of the Council for Democratic Elections</i>

19. Questionnaire on referendums

Mr Alivizatos will inform the Commission on progress of work on the questionnaire on referendums. The Commission will be invited to approve the questionnaire ([CDL\(2017\)022](#)).

20. Report of the meeting of the Joint Council on Constitutional Justice (Karlsruhe, 18-19 May 2017)

The Co-Chair of the Joint Council on Constitutional Justice will inform the Commission on the results and conclusions of the meeting held in Karlsruhe, Germany on 18-19 May 2017.

21. Report of the meeting of the Council for Democratic Elections (15 June 2017)

The President of the Council will inform the Commission on the results and conclusions of the meeting held on 15 June 2017.

[Link to annotated agenda](#)

The draft opinions on the Electoral Laws of Bulgaria and the Republic of Moldova as well as the questionnaire on referendums are dealt with under items 11, 13 and 19 above.

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

23. Dates of the next sessions

The schedule of sessions for 2017 is confirmed as follows:

112 th Plenary Session	6-7 October 2017
113 th Plenary Session	8-9 December 2017

The Commission is invited to confirm the schedule of sessions for 2018 as follows:

114 th Plenary Session	16-17 March 2018
115 th Plenary Session	22-23 June 2018

116 th Plenary Session	19-20 October 2018
117 th Plenary Session	14-15 December 2018

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](#)