



Strasbourg 8 June 2018

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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

115th PLENARY SESSION
Venice, Scuola Grande di San Giovanni Evangelista
Friday, 22 June 2018 (9.00 a.m.-6.00 p.m.) -
Saturday, 23 June 2018 (9.00 a.m.-1.00 p.m.)

DRAFT ANNOTATED AGENDA

Friday, 22 June 2018

9h00-10h45

*Opening session**Co-operation with Council of Europe organs**Follow-up to earlier Venice Commission Opinions**Exchange of views with the Consultative Council of European Judges (CCJE)**Co-operation with Armenia***1. Adoption of the Agenda****2. Communication by the President**

The President will present his recent activities ([CDL\(2018\)018](#)).

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 21 June 2018.

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 Rémi Mortier, Permanent Representative of Monaco to the Council of Europe and with Ambassador Ivars Pundurs, Permanent Representative of Latvia to the Council of Europe.

6. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Mr Sergiy Vlasenko, 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 opinions on Hungary and Romania (see items 12 and 13), 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 Leen Verbeek, Chair of the Congress Monitoring Committee, on co-operation with the Congress.

The report on recall of mayors and other local elected representatives (see item 18) falls into the framework of co-operation with the Congress.

8. Exchange of views with the Consultative Council of European Judges (CCJE)

Mr Gerhard Reissner, former President of the Consultative Council of European Judges (CCJE), will address the Commission.

9. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to:

Constitutional amendments as adopted at the second reading in December 2017 by the Parliament of Georgia ([CDL-AD\(2018\)005](#));

Opinion on the Draft Act amending the Act on the National Council of the Judiciary of Poland, on the Draft Act amending the Act on the Supreme Court, proposed by the President of Poland, and on the Act on the Organisation of Ordinary Courts of Poland ([CDL-AD\(2017\)031](#));

Opinion on the Draft Law of Ukraine on Anticorruption Courts and on the Draft Law of Ukraine on Amendments to the Law on the Judicial System and the Status of Judges (concerning the introduction of mandatory specialisation of judges on the consideration of corruption and corruption-related offences) ([CDL-AD\(2017\)020](#));

Opinion on the law on national referendum of Ukraine ([CDL-AD\(2013\)017](#));

Opinion on the draft law on principles of the state language policy of Ukraine ([CDL-AD\(2011\)047](#)).

10. Armenia

Mr Artak Zeynalyan, Minister of Justice of Armenia and Ms Arpine Hovhannisyan, Vice President, National Assembly of Armenia, will inform the Commission on the planned legal reforms in Armenia and on future co-operation with the Commission.

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

11. Serbia

The Commission is invited to hold an exchange of views with Ms Nela Kuburović, Minister of Justice of Serbia, and to examine, with a view to adoption, the draft opinion ([CDL\(2018\)015](#)) on draft amendments to the constitutional provisions on the judiciary of Serbia ([CDL-REF\(2018\)015](#)) drawn up on the basis of comments by Mr Hirschfeldt, Ms McMorrow, Mr Sorensen, Mr Varga and Ms Suchocka. The Sub-Commission on the Judiciary will examine this draft opinion at its meeting on 21 June 2018.

12. Hungary

The Commission is invited to hold an exchange of views with Mr Balázs Orbán, State Secretary, Prime Minister's Office, and to examine, with a view to adoption, the draft joint opinion ([CDL\(2018\)020](#)) by the Venice Commission and the OSCE/ODIHR on the compatibility with international human rights standards of the Hungarian Government's new "Stop Soros" draft legislative package to the extent that it affects NGO activities in Europe ([CDL-REF\(2018\)025](#)), drawn up on the basis of comments by Mr Barrett, Ms Bilkova, Mr Kuijer and Mr Meridor as well as OSCE/ODIHR experts. The Sub-Commission on Fundamental Rights will examine this draft joint opinion at its meeting on 21 June 2018.

13. Romania

The Commission is invited to hold an exchange of views with Mr Florin Iordache, Chair of the Joint Special Parliamentary Commission for amending the Judicial Laws and with the representatives of the President and of the Ministry of Justice, and will be informed on progress of work on the draft opinion on the draft legislation on the judiciary of Romania ([CDL-REF\(2018\)022](#), [023](#) and [024](#)). The Rapporteurs may present a memorandum on the situation following their visit to Romania on 11-12 June 2018. The Commission may be invited to authorise the rapporteurs to issue a preliminary opinion based on the discussions. The Sub-Commission on the Judiciary will be informed on this item at its meeting on 21 June 2018.

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

14. Georgia

The Commission is invited to examine, with a view to adoption, the draft *amicus curiae* brief for the Constitutional Court of Georgia ([CDL\(2018\)019](#)) on the effects of the decisions of constitutional courts in civil and administrative cases (see document [CDL-REF\(2018\)021](#)), drawn up on the basis of comments by Ms Baricova, Mr Grabenwarter, Mr Harutyunyan and Mr Kang.

15. Kosovo

The Commission is invited to hold an exchange of views with Mr Mentor Borovci, Director of Legal Office, Office of the Prime Minister of Kosovo, and to examine, with a view to adoption, the draft opinion ([CDL\(2018\)016](#)) on the “draft law on amending and supplementing the Law no. 03/l-174 on the Financing of Political Entities (Amended and Supplemented by Law no. 04/l-058 and Law no. 04/l-122) and Law no. 003/l-073 on General Elections (Amended and Supplemented by Law no. 03/l-256)” ([CDL-REF\(2018\)016](#), [017](#) and [018](#)) drawn up on the basis of comments by Mr Dimitrov, Mr Poghosyan and Mr Vilanova Trias. The Council for Democratic Elections will examine this draft opinion at its meeting on 21 June 2018.

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

16. Malta

The Commission is invited to hold an exchange of views with Mr Silvan Agius, Director, Human Rights and Integration Directorate, Ministry for European Affairs and Equality of Malta, and to examine, with a view to adoption, the draft opinion ([CDL\(2018\)014](#)) on the Draft Act amending the Constitution, on the Draft Act on the Human Rights and Equality Commission and on the Draft Act on Equality ([CDL-REF\(2018\)013](#), [014](#) and [019](#)) drawn up on the basis of comments by Ms Anastas, Ms Hermanns and Mr Hirschfeldt as well as Mr Niall Crowley and Ms Laurina Koster (experts). The Sub-Commission on Fundamental Rights will examine this draft opinion at its meeting on 21 June 2018.

17. Montenegro

The Commission is invited to hold an exchange of views with Mr Zoran Pazin, Minister of Justice of Montenegro, and to examine, with a view to adoption, the draft opinion ([CDL\(2018\)021](#)) on the draft law on amendments to the law of Montenegro on the Judicial

Council and Judges ([CDL-REF\(2018\)026](#)) drawn up on the basis of comments by Ms Cartabia and Mr Dimitrov.

19h15 Departure by bus from Piazzale Roma
20h00 Dinner at Restaurant "[Park Ristorante da Odino](#)", Quarto d'Altino
22h30 Return to Venice (Piazzale Roma)

Saturday, 23 June 2018

9h00-10h30	<i>Studies and Reports Co-operation with other countries</i>
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18. Study on Recall of Mayors and other local elected representatives

The Commission is invited to examine, with a view to adoption, the draft report ([CDL\(2018\)022](#)) on the recall of Mayors and other local elected representatives, drawn up on the basis of comments by Mr Castella Andreu, Ms Jametti Greiner and Ms Karakamisheva-Jovanovska. The Council for Democratic Elections and the Sub-Commission on Democratic Institutions will examine this draft report at their meetings on 21 June 2018.

19. Venice Principles on the protection and promotion of the Ombudsman Institution

The Commission is invited to hold an exchange of views with Ms Brigitte Ohms, Member of the Steering Committee for Human Rights (CDDH), and will be informed on progress of work on the Venice Principles on the protection and promotion of the Ombudsman Institution ([CDL\(2018\)017](#)).

20. Co-operation with other countries

Hungary

Mr Tamás Sulyok, President, Constitutional Court of Hungary, will address the Commission.

Republic of Korea

Mr Jinsung Lee, President of the Constitutional Court of the Republic of Korea, will address the Commission.

Albania

The Commission will be informed on assistance to Albania in the framework of electoral reform.

Bosnia and Herzegovina

The Commission will be informed on support provided to Bosnia and Herzegovina for the reform of the rules on the election of the House of Peoples of the Federation, following the *amicus curiae* brief of the Commission ([CDL-AD\(2016\)024](#)) and the subsequent judgment by the Constitutional Court of Bosnia and Herzegovina.

10h30-10h45	<i>Coffee Break</i>
10h45-12h45	<i>Information on constitutional developments in other countries</i>
	<i>Information on Conferences and Seminars</i>
	<i>Communication from the Scientific Council</i>
	<i>Report of the meeting of the Council for Democratic Elections</i>

21. Information on constitutional developments in other countries

France

Ms Bazy Malaurie will inform the Commission on recent constitutional developments in France.

Kazakhstan

Mr Rogov will inform the Commission on recent constitutional developments in Kazakhstan.

22. Information on Conferences and Seminars

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

- *15th European Conference of Electoral Management Bodies on “Security in elections” (Oslo, 19-20 April 2018);*
- *UniDem-Med Seminar on “Improving the relation between the Administration and the Citizens: a democratic imperative” (Rabat, 23-26 April 2018);*
- *2nd Scientific Electoral Experts’ Debates “Equal Suffrage” (Sinaia, Romania, 3-4 May 2018).*

23. Communication from the Scientific Council

The President of the Scientific Council will inform the Commission about planned activities.

The Commission is invited to endorse the draft Compilations of Venice Commission opinions and reports relating to qualified majorities and anti-deadlock mechanisms ([CDL-PI\(2018\)003](#)) and on Social Rights ([CDL-PI\(2018\)005](#)).

24. Report of the meeting of the Council for Democratic Elections (21 June 2018)

The President of the Council will inform the Commission on the results and conclusions of the meeting held on 21 June 2018.

[Link to annotated agenda](#)

The draft opinion on Kosovo as well as the draft report on recall of Mayors and other local elected representatives, are dealt with under items 15 and 18 above.

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

26. Dates of the next sessions

The schedule of sessions for 2018 is confirmed as follows:

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

The Commission is invited to confirm the schedule of sessions for 2019 as follows:

118 th Plenary Session	15-16 March 2019
119 th Plenary Session	21-22 June 2019
120 th Plenary Session	11-12 October 2019
121 st Plenary Session	6-7 December 2019

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](#)