



Strasbourg, 12 June 2019

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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

119th PLENARY SESSION
Venice, Scuola Grande di San Giovanni Evangelista
Friday, 21 June 2019 (9.00 a.m.-6.00 p.m.) -
Saturday, 22 June 2019 (9.30 a.m.-1.00 p.m.)

REVISED DRAFT ANNOTATED AGENDA

Friday, 21 June 2019**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\(2019\)022](#)).

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 20 June 2019.

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 Aleksandra Djurović, Permanent Representative of Serbia to the Council of Europe and with Ms Kara McDonald, Consul General, Deputy Permanent Observer of the United States of America to the Council of Europe.

6. Co-operation with the Parliamentary Assembly

The Commission is invited to hold an exchange of views with Ms Stella Kyriakides, Former President of the Parliamentary Assembly and 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 opinion on Romania (see item 12) falls 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 and with Mr Andreas Kiefer, Secretary General of the Congress, on co-operation with the Congress.

The report on the recall of Mayors and other local elected representatives (see item 20) falls into the framework of co-operation with the Congress.

8. Co-operation with the Council of Europe Development Bank

Mr Rolf Wenzel, Governor of the Council of Europe Development Bank, will address the Commission.

9. Follow-up to earlier Venice Commission opinions

The Commission will be informed on follow-up to:

Hungary - Opinion on the law on administrative courts and the law on the entry into force of the law on administrative courts and certain transitional rules ([CDL-AD\(2019\)004](#));

Malta - Opinion on Constitutional arrangements and separation of powers and the independence of the judiciary and law enforcement ([CDL-AD\(2018\)028](#));

Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles") ([CDL-AD\(2019\)005](#));

North Macedonia - Opinion on the Draft Law on the Judicial Council ([CDL-AD\(2019\)008](#));

North Macedonia - Opinion on the draft amendments to the Law on Courts ([CDL-AD\(2018\)033](#));

Ukraine - Joint Opinion on Draft Law No. 6674 "On Introducing Changes to Some Legislative Acts to Ensure Public Transparency of Information on Finance Activity of Public Associations and of the Use of International Technical Assistance" and on Draft Law No. 6675 "On Introducing Changes to the Tax Code of Ukraine to Ensure Public Transparency of the Financing of Public Associations and of the Use of International Technical Assistance" ([CDL-AD\(2018\)006](#)).

10. Georgia

The Commission is invited to endorse the urgent opinion ([CDL-PI\(2019\)002](#)) on the selection and appointment of Supreme Court judges of Georgia ([CDL-REF\(2019\)007](#)) drawn up on the basis of comments by Mr Atar, Mr Barrett, Mr Eşanu and Mr Sørensen as well as Mr Mats Melin (expert). In accordance with the decision taken at the March session and the Protocol on the preparation of Venice Commission urgent opinions adopted in October 2018 ([CDL-AD\(2018\)019](#)), this urgent opinion has already been issued.

10h45-11h00
11h00-13h00

Coffee break
Discussion and adoption of opinions on individual countries (Continued)

11. Montenegro

The Commission is invited to hold an exchange of views with Mr Mehmet Zenka, Minister of Human and Minority Rights of Montenegro and to examine with a view to adoption, the draft opinion ([CDL\(2019\)018](#)) on the draft Law of Montenegro on freedom of religion and beliefs and the legal status of religious communities ([CDL-REF\(2019\)014](#)) drawn up on the basis of comments by Mr Eşanu, Mr Velaers and Mr Vermeulen. The Sub-Commission on Fundamental Rights will examine this draft opinion at its meeting on 20 June 2019.

12. Romania

The Commission is invited to hold an exchange of views with the representative of Romania, and to examine with a view to adoption, the draft opinion ([CDL\(2019\)017](#)) on Emergency Ordinances GEO N° 7 and GEO N° 12 amending the Laws of Justice of Romania ([CDL-](#)

[REF\(2019\)012](#) and [CDL-REF\(2019\)013](#)) drawn up on the basis of comments by Ms Bazy Malaurie, Mr Eşanu, Mr Kuijer and Mr Tuori as well as Ms Suchocka (Honorary President).

13. Republic of Moldova

The Commission is invited to hold an exchange of view with the representatives of the main political parties of the Republic of Moldova and to examine with a view to adoption the draft opinion ([CDL\(2019\)024](#)) on the constitutional situation in the Republic of Moldova with particular reference to the possibility of dissolving parliament, drawn up on the basis of comments by Mr Dimitrov, Mr Frenco, Mr Holmøyvik and Mr Tuori. The Sub-Commissions on Democratic Institutions and on the Mediterranean Basin will examine this draft opinion at their joint meeting on 20 June 2019.

13h00-14h30	Lunch
14h30-16h00	Exchange of views with the Director of the OSCE/ODIHR Joint Guidelines on Freedom of Peaceful Assembly (3rd Edition) Discussion and adoption of Opinions on individual countries (Continued)

14. Exchange of views with the Director of the OSCE/ODIHR

Ms Ingibjörg Sólrún Gísladóttir, Director of the OSCE Office for Democratic Institutions and Human Rights, will address the Commission.

15. Joint Guidelines on Freedom of Peaceful Assembly (3rd Edition)

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 Peaceful Assembly (3rd Edition) ([CDL\(2019\)023](#)) prepared by the OSCE/ODIHR Panel of experts on Freedom of Peaceful Assembly in co-operation with Ms Bazy Malaurie, Mr Eşanu, Mr Hoffmann-Riem and Mr Vermeulen as well as Mr Pieter van Dijk (expert). The Sub-Commission on Fundamental Rights will examine these draft guidelines at its meeting on 20 June 2019.

16. Tunisia

The Commission is invited to hold an exchange of views with Mr Mohamed Fadhel Mahfoudh, Minister to the Head of Government responsible for relations with independent bodies, civil society and human rights of Tunisia and with Mr Ameer Larayedh, President of the Parliamentary Committee on Industry, Energy, Natural Resources, Infrastructure and the Environment of Tunisia, and to examine, with a view to adoption, the draft opinion ([CDL\(2019\)020](#)) on the Draft Organic Law of Tunisia on the Authority for Sustainable Development and the Rights of Future Generations ([CDL-REF\(2019\)011](#) and [CDL-REF\(2019\)015](#)) drawn up on the basis of comments by Mr Dimitrov, Mr Holmøyvik and Mr Kuijer as well as Ms Finola Flanagan, Mr Álvaro Gallego and Ms Veronika Tomei (experts). The Sub-Commissions on Democratic Institutions and on the Mediterranean Basin will examine this draft opinion at their joint meeting on 20 June 2019.

16h00-16h15	Coffee Break
16h15-18h00	Reports and Studies

17. Parameters on the relationship between the parliamentary majority and the opposition in a democracy: a checklist

The Commission is invited to examine with a view to adoption the draft parameters on the relationship between the parliamentary majority and the opposition in a democracy: a checklist ([CDL\(2019\)021](#)) drawn up on the basis of comments by Mr Aurescu, Ms Kiener, Mr Tuori and Mr Vermeulen as well as Ms Suchocka (Honorary President). The Sub-Commissions on Democratic Institutions and on the Mediterranean Basin will examine these draft parameters at their joint meeting on 20 June 2019.

18. Report on the Use of Digital technologies and elections

The Commission is invited to examine with a view to adoption the draft report on the use of digital technologies and elections ([CDL\(2019\)002](#); see also document [CDL-REF\(2019\)009](#)) drawn up jointly with the Council of Europe's Information Society Department (DGI) on the basis of comments by Mr Barrett, Ms Kjerulf Thorgeirsdottir, Mr Rubio Nuñez and Mr Vargas Valdez and well as Ms Rozgonyi (DGI expert, Media and Internet Governance Division) and Ms Ruzic (DGI Expert, Data Protection Division). The Council for Democratic Elections will examine this draft report at its meeting on 20 June 2019.

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, 22 June 2019

9h30-10h45	<i>Working Methods Reports and Studies (Continued) Information on constitutional developments in other countries Co-operation with other countries Information on conferences and Seminars</i>
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19. Working Methods

In accordance with the decision taken at the last session, the Commission is invited to discuss the proposals of the Enlarged Bureau concerning the follow-up to be provided to the proposal by 5 members to introduce the possibility of attaching separate opinions to the opinions adopted by the Commission.

20. Report on the Recall of Mayors and other local elected representatives

The Commission is invited to examine with a view to adoption the draft report on the Recall of Mayors and other local elected representatives ([CDL\(2019\)019](#)) 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-Commissions on Democratic Institutions and on the Mediterranean Basin will examine this draft report at their meetings on 20 June 2019.

21. Information on constitutional developments in other countries*Armenia*

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

Kazakhstan

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

Lithuania

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

22. Co-operation with other countries*Argentina*

The President will inform the Commission on his recent visit to Argentina and his participation in the seminar co-organised by the National Electoral Chamber in Buenos Aires on 30 May 2019.

Mongolia

The President will inform the Commission on his participation in the Conference on “Separation of Powers and Constitutional Court” which took place in Ulaanbaatar on 6-7 June 2019 and on possible prospects for co-operation with Mongolia.

Switzerland

Mr Ulrich Meyer, President of the Swiss Federal Tribunal, will address the Commission.

Uzbekistan

Mr Frenco will inform the Commission on his participation in the International Legal Forum “Law in an era of rapid modernisation” which took place in Tashkent, Uzbekistan on 25-27 April 2019 and on possible prospects for co-operation with Uzbekistan.

23. Information on Conferences and Seminars

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

- *UniDem Seminar on “The state of democracy thirty years after the fall of the iron curtain” (Lund, Sweden, 6-7 May 2019);*
- *Seminar on “Modern Constitutional Development: The Role of Constitutional Review in Constitutionalisation of Law” (Minsk, 30-31 May 2019);*
- *9th UniDem-Med Seminar: “Towards a Public Service closer to the citizens – Models and good practices” (Marrakech, Morocco, 12–14 June 2019).*

10h45-11h00	<i>Coffee Break</i>
11h00-12h45	<i>Compilations of Venice Commission opinions and reports Report of the meeting of the Joint Council on Constitutional Justice Report of meeting of the Council for Democratic Elections</i>

24. Compilations of Venice Commission opinions and reports

The Commission is invited to endorse the draft Compilations of Venice Commission opinions and reports concerning electoral systems and gender representation ([CDL\(2019\)015](#)) and concerning electoral systems and national minorities ([CDL\(2019\)016](#)).

25. Report of the meeting of the Joint Council on Constitutional Justice (Rome, 23-24 May 2019)

The Commission will be informed of the results and conclusions of the meeting of the Joint Council on Constitutional Justice which took place in Rome on 23-24 May 2019.

26. Report of the Meeting of the Council for Democratic Elections (20 June 2019)

The President of the Council will inform the Commission on the results and conclusions of the meeting held on 20 June 2019.

The Commission will be informed on progress of work on the Report on Election dispute resolution ([CDL-EL\(2019\)001](#); [CDL-REF\(2019\)010](#)).

[Link to annotated agenda](#)

The Reports on the use of digital technologies and elections and on the Recall of Mayors and other local elected representatives are dealt with under items 18 and 20 above.

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

The Commission will be informed on preparations for the 30th Anniversary.

28. Dates of the next sessions

The schedule of sessions for 2019 is confirmed as follows:

120 th Plenary Session	11-12 October 2019
121 st Plenary Session	6-7 December 2019

The Commission is invited to confirm the schedule of sessions for 2020 as follows:

122 nd Plenary Session	20-21 March 2020
123 rd Plenary Session	19-20 June 2020
124 th Plenary Session	8-9 October 2020 (30 th anniversary)
125 th Plenary Session	11-12 December 2020

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](#)