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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

116th PLENARY SESSION
(Venice, 19-20 October 2018)

SYNOPSIS

The Commission

- Held an exchange of views with Ms Vasilika Hysi, Vice President of the Parliament of **Albania**, and adopted the Joint Opinion of the Venice Commission and OSCE/ODIHR on the draft law on the legislative initiative of citizens in Albania, previously adopted by the Council for Democratic Elections on 18 October 2018;
- Held an exchange of views with Mr Ararat Mirzoyan, First Deputy Prime Minister of **Armenia**, on future co-operation and was informed on the latest developments concerning the envisaged early parliamentary elections and on the draft amendments to the Election Code currently pending before parliament;¹
- Held an exchange of views with Mr Marat Beketayev, Minister of Justice of the Republic of **Kazakhstan**, and adopted the Opinion on the Administrative procedure and justice code of Kazakhstan;
- Held an exchange of views with Mr Gheorghe Racoviță and with Ms Ludmila Șchendra, Security and Intelligence Service of the **Republic of Moldova**, and adopted the Opinion on Law no. 120 of the Republic of Moldova on preventing and combating terrorism;
- Held an exchange of views with Mr Florin Iordache, Chair of the Joint Special Parliamentary Commission for amending the Judicial Laws of **Romania**, and adopted:
 - the Opinion on amendments to Law No. 303/2004 on the statute of judges and prosecutors, Law No. 304/2004 on judicial organization and Law No. 317/2004 on the Superior Council for Magistracy of Romania; and
 - the Opinion on amendments to the Criminal Code and Criminal Procedure Code of Romania, previously examined by the Sub-Commissions on the Judiciary and on Fundamental Rights on 18 October 2018;
- Held an exchange of views with Ms Renata Deskoska, Minister of Justice of “**the former Yugoslav Republic of Macedonia**”, and adopted the Opinion on the Law amending the Law on the Judicial Council and on the Law amending the Law on Courts of “the former Yugoslav Republic of Macedonia”;
- Adopted the Opinion on the draft organic law of **Tunisia** on the organisation of political parties and their financing, previously examined by the Sub-Commission on the Mediterranean Basin on 18 October 2018;
- Held an exchange of views with Mr Mirza-Ulugbek E. Abdusalomov, President of the Central Election Commission of **Uzbekistan**, and adopted the joint Opinion of the Venice Commission and OSCE/ODIHR on the draft election code of Uzbekistan, previously adopted by the Council for Democratic Elections on 18 October 2018;
- Was informed on **follow up** to the:
 - Opinion on the draft Constitutional Law on the Constitutional Court of **Armenia**;
 - Joint Opinion of the Venice Commission and the OSCE/ODIHR on the draft Law on Referendum of **Armenia**;
 - Opinion on proposed new Article 37 of the Law on the People's Advocate - Finance Provisions of the **Republic of Moldova**;

¹ See the statement by the President of the Commission <https://www.venice.coe.int/webforms/events/?id=2657>

- Opinion on the draft Law of **Montenegro** on amendments to the Law on the Judicial Council and Judges;
- Was further informed on follow up to the Opinion on the draft amendments to the constitutional provisions on the judiciary of **Serbia** and took note of the Secretariat Memorandum on the compatibility of the revised draft Amendments to the Constitutional Provisions on the Judiciary with this opinion;
- Held an exchange of views with Mr Mohamed Auajjar, Minister of Justice and Liberties of **Morocco**, on current and future co-operation;
- Held an exchange of views with Mr José Antonio Dias Toffoli, President of the Federal Supreme Court of **Brazil**, on constitutional developments in that country;
- Held an exchange of views with Mr Adama Dieng, **United Nations** Special Adviser on the Prevention of Genocide;
- Held an exchange of views with Mr Stéphane Dion, Ambassador of **Canada** to Germany and Special Envoy to the European Union and Europe and Mr Warren Newman, Senior General Counsel, Constitutional, Administrative and International Law, Department of Justice of Canada;
- Was informed on progress in the electoral reform process in **Bosnia and Herzegovina**;
- Was informed on recent constitutional developments in **Mexico**, in **Peru** and in **Palestine**;²
- Was informed on developments in the recent case-law of the **European Court of Human Rights** as concerns references to Venice Commission studies, reports and opinions;
- Was informed on progress of work on the **Venice Principles on the protection and promotion of the Ombudsman Institution**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** (18 October 2018) and took note that the English version of some provisions of the Code of Good Practice on Referendums and of the Code of Good Practice in Electoral Matters will be aligned to the French version;
- Was informed on the results and conclusions of the meeting of the **Sub-Commission on the Mediterranean Basin** (18 October 2018) in particular the results and conclusions of the
 - UniDem-Med Seminar “Transformation and innovation in the senior Civil Service: challenges and opportunities” (Tunis, 24-27 September 2018);
 - Second International Conference of the Arab Union of Administrative Judiciary on “Voting In Elections and Referendums - Right and Duty” (Cairo, 8-9 October 2018);
- Was informed on the results and conclusions of the meeting of the **Sub-Commission on Working Methods** (18 October 2018), adopted amendments to Article 14a of the Rules of Procedure on urgent opinions and endorsed the Protocol on the preparation of such urgent opinions;

² This designation shall not be construed as recognition of a State of Palestine and is without prejudice to the individual positions of Council of Europe member States on this issue.

- Held an exchange of views with the representatives of the **Committee of Ministers, the Parliamentary Assembly** and the **Congress of Local and Regional Authorities** of the Council of Europe;
- Decided to launch a study on the Rule of law standards pertaining to the Bar;
- Confirmed the dates of the **next Plenary Session** as follows: 14-15 December 2018 and confirmed the dates for the 2019 sessions as follows: 15-16 March 2019; 21-22 June 2019; 11-12 October 2019 and 6-7 December 2019.