



Strasbourg, 22 June 2015

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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**103<sup>rd</sup> PLENARY SESSION**  
**(Venice, 19-20 June 2015)**

**SYNOPSIS**

## The Commission

- Was informed on progress in the preparation of amendments to the constitution of **Armenia** and authorised the rapporteurs to send their preliminary opinion on these draft amendments to the Armenian authorities before its adoption at the October session;
- Was informed of the request by the Armenian Ombudsman for an opinion on the draft amendments to the Ombudsman law of Armenia;
- Adopted the *amicus curiae* brief for the Constitutional Court of **Georgia** on the *non ultra petita* rule in criminal cases, previously examined by the Sub-Commissions on Democratic Institutions and on Fundamental Rights on 18 June 2015;
- Was informed on the request for an opinion on the draft amendments to the law on the prosecution service in Georgia and authorised the rapporteurs to send their preliminary opinion on these draft amendments to the Georgian authorities before its adoption at the October session; a meeting of the rapporteurs with representatives of the Georgian authorities, opposition and civil society was held in Venice on 20 June in parallel to the session;
- Was informed on progress in the constitutional reform in Georgia;
- Held an exchange of views with Mr László Trócsányi, Minister of Justice of **Hungary** and adopted the opinion on Media Legislation of Hungary, previously examined by the Sub-Commissions on Democratic Institutions and on Fundamental Rights on 18 June 2015;
- Adopted the opinion on the citizen's bill on the regulation of public participation, citizens' bills, referendums and popular initiatives and amendments to the provincial electoral law of the Autonomous Province of Trento, **Italy**, previously adopted by the Council for Democratic Elections on 18 June 2015;
- Held an exchange of views with Ms Natalia Nikitenko, Chair of the Committee on Human Rights, Constitutional Legislation and State Structure of the parliament of **Kyrgyzstan** and adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the amendments to the Constitution of Kyrgyzstan, previously examined by the Sub-Commissions on Democratic Institutions and on Fundamental Rights on 18 June 2015;
- Held an exchange of views with Mr Mihail Cotorobai, People's Advocate of the Republic of **Moldova**, and adopted the opinion on the Law on the People's Advocate of the Republic of Moldova;
- Was informed on the recent co-operation with the authorities of **Tunisia** in the preparation of the law on the High Council of Justice and the law on the Constitutional Court of Tunisia;
- Adopted a declaration on interference with judicial independence in **Turkey**;
- Was informed on progress in the preparation of the opinion on Law N°5651 on the Internet and Articles 216, 301 and 314 of the Penal Code of Turkey, at the request of the Parliamentary Assembly of the Council of Europe;
- Held an exchange of views with Mr Volodymyr Groysman, Speaker of the Parliament of **Ukraine** and President of the Constitutional Commission, and with Mr Oleksiy Filatov, Deputy Head of the Presidential Administration, Secretary of the Constitutional Commission of Ukraine, on progress in the constitutional reform relating to decentralisation and the judiciary and, having been requested by the Speaker to prepare an urgent opinion on the recently prepared draft amendments relating to **decentralisation**, authorised the

rapporteurs to send a preliminary opinion on these or any other amendments to the Ukrainian authorities before its adoption at the October session;

- Was informed by the Speaker of Parliament that the new draft law on local elections of Ukraine had been adopted in the first reading;
- Adopted the opinion on the Draft law on introducing changes to the Constitution of Ukraine on the **immunity** of Members of Parliament and judges;
- Held an exchange of views with Mr Pavlo Petrenko, Minister of Justice of Ukraine, and adopted the final opinion on the Law on Government Cleansing ("**Lustration Law**") of Ukraine, as would result from the amendments submitted to the Verkhovna Rada on 21 April 2015;
- Adopted the report on **restrictions on freedom of expression and freedom of association of judges**, following a request by the Inter-American Court of Human Rights;
- Adopted the report on the **method of nomination of candidates within political parties** previously adopted by the Council for Democratic Elections on 18 June 2015;
- Following a request for assistance by the ad hoc committee of the parliament of Albania, adopted the preliminary report on **exclusion of offenders from Parliament**, previously adopted by the Council for Democratic Elections on 18 June 2015;
- Endorsed the **compilations** of Venice Commission opinions and reports concerning **constitutional justice** and **prosecutors**, submitted by the Scientific Council;
- Was informed on **follow up** to: the *Amicus Curiae* Brief for the Constitutional Court of Moldova on certain provisions of the law on professional integrity testing; the Joint Opinion on the draft Law on the Prosecution Service of the Republic of Moldova; the Joint Opinion on the draft election code of Georgia; the Joint Opinion on draft amendments to the Law on the financing of political activities of **Serbia**; and the opinion on the procedure for appointing judges to the Constitutional Court in times of the presidential transition in the **Slovak Republic**;
- Was informed on progress on the preparation of the **Rule of Law Checklist**;
- Was informed on progress of work on the draft opinions on the Criminal Code provisions on hate crimes and others of Peru and on the anti-discrimination legislation of **Peru**;
- Was informed on developments with respect to the Human Rights Act in **the United Kingdom**, decided to launch a reflection on the European phenomenon of political questioning of the current human rights adjudication framework and to hold a conference on this topic in Norway in co-operation with the Oslo Centre on Human Rights;
- Was informed on the launching of an **Organisation of Arabic Speaking Electoral Management Bodies**;
- Was informed on the **Oxford University Science of Constitutions Programme**;
- Was informed on the recent work of the **Gender Equality Commission**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** held on 18 June 2015;

- Was informed on the meeting of the **Joint Council on Constitutional Justice**, held in Bucharest on 11-12 June 2015;
- Was informed on the preparations for the meeting of the **Conference of European Constitutional Courts** to be held in Batumi, Georgia, in 2017;
- Held an exchange of views with representatives of the **Committee of Ministers**, of the **Parliamentary Assembly** and of the **Congress of Local and Regional Authorities** of the Council of Europe;
- Confirmed the dates of the **next Plenary Sessions** as follows: 23-24 October 2015; 18-19 December 2015 and fixed the dates for the **2016 sessions** as follows: 11-12 March 2016; 10-11 June 2016; 14-15 October 2016; 9-10 December 2016.