Strasbourg, 3 April/avril 2018 **CDL-PL-PV(2018)001**

Bil.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

COMMISSION EUROPEENNE POUR LA DEMOCRATIE PAR LE DROIT

(COMMISSION DE VENISE)

114th PLENARY SESSION
Venice, Scuola Grande di San Giovanni Evangelista
Friday, 16 March - Saturday, 17 March 2018

114e SESSION PLÉNIÈRE
Venise, Scuola Grande di San Giovanni Evangelista
Vendredi 16 mars - Samedi 17 mars 2018

SESSION REPORT/RAPPORT DE SESSION

http://www.venice.coe.int e-mail : venice@coe.int
F-67075 Strasbourg Cedex Tel : + 33 388 41 30 48 Fax : + 33 388 41 37 38.

TABLE OF CONTENTS/TABLE DES MATIERES

1. Adoption of the Agenda

The agenda was adopted without any amendments (CDL-PL-OJ(2018)001ann).

The President reminded the participants about the time limits for interventions (official guests: 7-10 minutes; follow-up items: 3-4 minutes, opinion presentations: 10 minutes, replies by national delegations 10 minutes; replies by the rapporteurs: 5 minutes; presentations of studies: 15 minutes; other interventions: 3 minutes).

2. Communication by the President

The President welcomed members, special guests and delegations. He then presented his recent activities, as indicated in document CDL(2018)011.

3. Communication from the Enlarged Bureau

Mr Markert informed the Commission that at its meeting on 15 March 2018, the Enlarged Bureau had taken note that due to the reduction of the budgetary contribution by Turkey, the Commission lacked some 270,000 Euros. In addition, the Russian Federation had so far not paid the first part of the contribution for 2018. However, it remained unclear whether the Russian Federation would pay eventually. The Commission had to be very prudent with its expenses. The Commission hoped to receive voluntary contributions from Germany, Italy, Luxemburg, Malta and the EU.

The President pointed out that some of the contributions envisaged by the donors were earmarked for specific purposes. This made it very difficult to compensate the shortfall in contributions. The permanent representatives and members were invited to assist in identifying other sources of possible voluntary contributions.

4. Communication by the Secretariat

The Secretary of the Commission pointed out that in 2017 the web-site of the Venice Commission had received 700,000 visits, which is very good for such a specialised web-site. In addition to visitors from Germany, France or Italy, most visitors came notably from Poland, Russia, Turkey and Hungary. This showed the high interest in the work of the Venice Commission in the countries concerned.

5. Co-operation with the Committee of Ministers

As the Thematic Co-ordinator of the Informational Policy of the Council of Europe, Ambassador Corina Călugăru, Permanent Representative of the Republic of Moldova to the Council of Europe, informed the Commission that the Council of Europe had established a Platform between governments and major Internet companies (*inter alia* Apple, Deutsche Telekom, Facebook, Google, Microsoft, Kaspersky Lab, Orange and Telefónica) for exchange on their respect for human rights and the rule of law online. This Platform provided a bridge between these companies and governments to promote dialogue on Internet governance and democratic security. Recently, the Committee of Ministers had adopted two recommendations on media pluralism and on the roles and responsibilities of Internet intermediaries, setting out the rights and obligations of governments and internet companies. Recommendation Rec(2017)5 on “Standards for E-voting” was also relevant for the internet companies. The growing interest from non-European states in Convention 108, which is the only legally binding international instrument on data protection and which is currently being updated, had the potential to turn this instrument into a world-wide standard. The Venice Commission would soon be invited to share its experience with the Internet companies in the Platform of the Committee of Ministers.

Mr Buquicchio welcomed the establishment of the Internet Platform and expressed the hope to be able to co-operate effectively with the Internet companies.

Ambassador Gilles Heyvaert, Permanent Representative of Belgium to the Council of Europe, welcomed the Venice Commission's independence and the excellent quality of its work, which made it a reference in the fields of international and constitutional law. Key reference texts of the Commission were notably the Code of Good Practice in Electoral Matters and the Checklist on the Rule of Law, which was a pioneering instrument for assessing the rule of law in the member States. The Ambassador regretted that populism endangered the European project. It was necessary to remain vigilant to avoid that the values of the Council of Europe be questioned. The Belgian Minister of Foreign Affairs, Mr Didier Reynders, had proposed establishing a regular peer review mechanism among Member States of the European Union in order to avoid problems from the outset.

Mr Buquicchio welcomed the Belgian proposal and pointed out that the Venice Commission's work was regularly referred to by the Vice-President of the European Commission, Mr Timmermans. In 2012, the Prime Minister of Belgium had welcomed an opinion of the Venice Commission, which had offered a solution to a delicate problem of amending the Belgian Constitution.

Ambassador João Maria Cabral, Permanent Representative of Portugal to the Council of Europe, pointed out that Portugal was a staunch supporter of the Venice Commission. The work of Commission was internationally recognised as objective and impartial. The Commission's working methods were rigorous and its recommendations were of high quality. All this made the Venice Commission an essential element of the architecture of the Council of Europe.

The President thanked the representatives of the Committee of Ministers for their constructive words and acknowledged the fruitful co-operation with the member States.

6. Co-operation with the Congress of Local and Regional Authorities of the Council of Europe

Mr Leen Verbeek, Chair of the Congress' Monitoring Committee, informed the plenary that, due to current financial difficulties affecting the whole Council of Europe, the Monitoring Committee had been obliged to review substantially its work programme for this year. It decided to give priority to monitoring visits in Lithuania, Slovenia, Georgia, Poland, the Republic of Moldova, the Russian Federation, Turkey and Bosnia and Herzegovina, while at the same time postponing other planned visits.

In addition, at its February meeting, the Monitoring Committee adopted a report on the situation of local elected representatives in the Republic of Moldova, to be debated during the next Congress session at the end of March. In this connection, following the Congress' request for a legal opinion, the Commission was preparing a report on the recall referendum, to be adopted during the next session of the Commission in June. Mr Verbeek thanked the Commission for the co-operation on this issue, of particular importance for the Congress in the framework of its political dialogue with concerned national authorities.

The Commission was informed of further documents approved by the Monitoring Committee, including a number of reports on the application of the European Charter on Local Self-Government in small sized countries, overall positive, and two reports on local elections held in "the former Yugoslav Republic of Macedonia" and in Georgia, to be discussed during the 34th Congress Session. The Congress would observe the local elections held on 21 March 2018 in the Netherlands, and had been invited to conduct a pre-electoral visit to Tunisia.

7. Follow-up to earlier Venice Commission opinions

The Commission was informed on follow-up to:

> *Opinion on questions relating to the appointment of Judges of the Constitutional Court of the Slovak Republic (CDL-AD(2017)001)*

Already at the December 2017 session, the Venice Commission had been informed that following the Opinion, the First Senate of the Constitutional Court had decided that by not appointing candidates elected by parliament to the Constitutional Court the President of Slovakia had violated the fundamental right of access to elected office of the rejected applicants.

The President of Slovakia subsequently appointed three judges to the Constitutional Court and the Court is once again complete. In January 2018, the President of the Venice Commission wrote a letter to the Speaker of the National Assembly and the Prime Minister expressing his satisfaction that the vacancies had been filled. In his letter, the President also offered the assistance of the Venice Commission to support legislative and constitutional reforms in the light of the opinion. The opinion had not only recommended that the President follow the judgment of the Constitutional Court but it had also proposed constitutional and legislative changes to avoid similar situations in the future.

> *Opinion on the Draft Law of Ukraine on Anticorruption Courts and on the Draft Law 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)*

In its opinion of October 2017, the Venice Commission invited the President of Ukraine to prepare a draft law on anti-corruption courts based on the recommendations contained in the opinion and submit it to the *Verkhovna Rada* in an expeditious manner. The already existing draft law on anticorruption courts (No. 6011), which had been submitted by several MPs, needed to be withdrawn to make such a legislative initiative possible.

On 21 December 2017, the *Verkhovna Rada* withdrew draft law No. 6011 and on 22 December, the President submitted his own “draft law on the high anti-corruption court” (No. 7740) to Parliament. The international community commented that the submission of the new draft law was welcome in principle but that the draft failed to meet some of the main requirements set by the Venice Commission. *Inter alia*, it was noted that the jurisdiction of the anti-corruption court did not exactly correspond to that of the National Anti-Corruption Bureau and of the Special Anti-Corruption Prosecutor’s Office. Furthermore, international experts would only be given a limited role in the selection of judges for the anti-corruption court, since their decisions on the ineligibility of candidates could be overruled by the High Qualifications Commission of Judges. Serious concerns were also raised about the fact that according to the new draft, an additional law would be needed in order to establish the anti-corruption court, which would further delay the process.

In a recent interview, the Secretary of the Venice Commission welcomed signals given by the President of Ukraine that draft law No. 7740 could be revised during the current legislative proceedings. He also suggested that the Commission’s experts could work on the current draft. The draft was passed by Parliament in first reading on 1 March, MPs could propose amendments for the second reading until 16 March. The amendments would be examined by the parliamentary Committee on Legal Policy and Rule of Law. The Venice Commission was likely to be invited to participate in a Committee meeting shortly. The

President of Ukraine had publicly declared that the draft law should be finally adopted in Spring 2018.

Opinion on the Amendments to the Law of Ukraine on elections regarding the exclusion of candidates from party lists (CDL-AD(2016)018)

On 16 February 2016 the Verkhovna Rada of Ukraine adopted Law N° 1006-VIII amending the Law on elections of people's deputies of Ukraine allowing the exclusion of candidates for people's deputies of Ukraine from the election list in the national multi-member constituency after the tabulation of electoral results. Several political parties immediately excluded a number of candidates from their lists.

Further to a request of the Monitoring Committee of the Parliamentary Assembly, the Commission adopted an opinion on this law in June 2016. It considered as contrary to international standards the empowerment of political parties *ex post facto* to deny the electorate the right to make a choice and to choose who to place on party lists in a position to be elected. It recommended that the power of political parties to remove from their lists, after an election has taken place, candidates who at the time were "deemed unelected" but retained the potential to be elected, should be removed in the light of European standards.

The 2016 opinion was widely discussed in Ukraine in 2017.

On 21 December 2017 the Constitutional Court of Ukraine declared unconstitutional the right of political parties to exclude candidates from their lists after the tabulation of electoral results. The Court's decision made direct references to the Venice Commission's 2016 opinion.

Opinion on the provisions of the Law of Ukraine on Education of 5 September 2017, which concern the use of the State Language and Minority and other Languages in Education (CDL-AD(2017)030)

As noted in the Opinion adopted in December 2017, Article 7 of the new Education Law of Ukraine introduced a new regime for the use of languages as a medium of instruction and as a school subject. In particular, Article 7 allowed a substantial reduction in the scope of education in minority languages, especially at the secondary level. Non-European minority languages, notably the Russian language, could only be used as languages of instruction in pre-school and primary school education.

The Venice Commission had recognised as legitimate, for Ukraine, to require that all citizens must have sufficient command of the state language to be able to successfully integrate into Ukrainian society. The Commission at the same time recommended a more balanced approach, respectful of the need to enable the preservation and protection of minority languages. A flexible approach to implementation timeframes was also important. The Ukrainian authorities had committed themselves to a more balanced interpretation and application of Article 7 in the framework of the future Law on General Secondary Education, including through consultations with national minorities and kin-states.

The Commission was informed that a road map for the implementation of the new rules had in the meantime been prepared, as well as relevant draft provisions of the Law on General Education, and that consultations had – reportedly - been engaged. In addition, under an amendment prepared by the Government, pupils who start their classes before 1 September 2018 will continue to receive education, in accordance with the rules effective before Article 7 came into force, until September 2023, instead of 2020. This would enable these pupils, should the amendment be adopted, to finish those classes under the old rules. A gradual increase in the number of subjects taught in Ukrainian was nevertheless also planned for these pupils.

Comments on Recommendation 2110(2017) of the Parliamentary Assembly of the Council of Europe, on the implementation of judgments of the European Court of Human Rights in view of the reply of the Committee of Ministers (CDL-AD(2017)017)

In its comments of October 2017 the Commission highlighted its great attachment to supporting and strengthening the execution of the judgments of the European Court of Human Rights and argued that it had the capacity to contribute to preparing general measures in compliance with international standards and to assist the member States in bringing their existing legislation which generated violations of the ECHR into conformity with the latter and in ensuring compliance of their draft legislation with the ECHR before being adopted, thus avoiding further violations. The Commission was ready to play a more active role in this respect. In its Reply adopted on 7 February 2018, the Committee of Ministers expressed, like the Parliamentary Assembly, the need to strengthen the synergies between all the stakeholders concerned with the execution. The Committee referred to the Commission's important work and further supported and encouraged "the possible advisory role of the Venice Commission in the preparation of general measures of implementation of judgments."

Opinion on the Rules of Procedure of the Constitutional Chamber of the Supreme Court of the Kyrgyz Republic (CDL-AD(2015)023)

The 2015 opinion was requested by the Constitutional Chamber of the Supreme Court. The new Rules of Procedure (CDL-REF(2018)002) were finally adopted by the Constitutional Chamber on 9 October 2017. While not all recommendations of the Opinion with respect to attenuating the very strong position of the Chamber's chairperson were taken into account, the new Rules of Procedure provided that all judges (and not just the chairperson) may propose candidates (including self-nomination) for the positions of chairperson, deputy chairperson and the position of "secretary-judge". Furthermore:

1. the Rules of Procedure provide greater detail on the allocation of cases (automated case allocation, reallocation in case of illness etc.);
2. information on petitions scheduled for hearing are now posted on the official website of the Constitutional Chamber ten days before the hearing begins;
3. the Rules of Procedure refer to administrative law instead of direct fines for misconduct in court; and
4. order in the court is maintained by sub-divisions of the judicial service staff and not by law enforcement officers.

Opinion on the Draft Act amending the Act on the National Council of the Judiciary; 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 (CDL-AD(2017)031), Opinion on the Act on the Public Prosecutor's office, as amended (CDL-AD(2017)028), Opinion on the Act on the Constitutional Tribunal (CDL-AD(2016)026), Opinion on amendments to the Act of 25 June 2015 on the Constitutional Tribunal of Poland (CDL-AD(2016)001)

In a judgment, delivered on 12 March 2018, Justice Aileen Donnelly of the Irish High Court held that the effect of the legislative changes in Poland, and their impact on fair trial rights, raised issues with respect to the interpretation of the 2002 Framework Decision on the European Arrest Warrant in the context of a breach of the common values of rule of law and democracy as set out in Article 2 of the Treaty on the European Union. Justice Donnelly decided to make a request for a preliminary ruling to the Court of Justice of the European Union on whether Ireland is obliged to deliver a Polish citizen accused of drug offences to Poland in this situation.

Following the judgment, Justice Donnelly was attacked personally by the Polish media. As a reaction to these attacks, both the Irish and the European Associations of Judges defended Justice Donnelly in public statements against these attacks.

8. Exchange of views with the OSCE High Commissioner for National Minorities

Mr Lamberto Zannier, High Commissioner for National Minorities (HCNM), thanked the Commission for the invitation to attend the plenary session and stressed the Commission's prominent role in promoting constitutional and legal reforms in Europe and outside Europe. Mr Zannier's office regularly consults and incorporates the Commission's findings into its own work. Although different, the mandates of the Venice Commission and of the High Commissioner (preventing the escalation of inter-ethnic tensions) actually complement and reinforce each other.

The institutional co-operation between the two organisations, on both thematic and country-specific issues, was an excellent illustration of this complementarity. Co-operation was essential to ensure that the interpretation of existing minority rights standards by different international bodies is consistent, as any divergence was likely to weaken and possibly even discredit the relevant standards and instruments, and to prevent "forum shopping" by States seeking an assessment or interpretation that is "favourable" to their position or legislation.

A recent example of complementarity was the education law in Ukraine. The Commission's opinion had provided the High Commissioner with a legal foundation to base political advice to the national stakeholders during its recent visits to Ukraine. Recent legislative proposals in Hungary and other countries which threaten civil society and infringe on freedom of association rights, were for the High Commissioner a source of concern: while framed to stop "illegal or mass migration", such legislation targeted and disproportionately impacted prominent civil society organisations working on a wide range of issues, including national minorities.

The High Commissioner further referred to past co-operation on the reports on non-citizens and minority rights and on dual voting rights for minorities, and to the consultations held with the Venice Commission prior to the publication of the HCNM's Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations. The Commission's members were invited to the 10th anniversary conference celebrating the adoption of these recommendations. The 2017 HCNM Graz Recommendations on Access to Justice were also an example of mutual reinforcement of the work of the two bodies, since the document refers, among relevant international standards, to recommendations contained in the Venice Commission's Rule of Law checklist.

Finally, the High Commissioner stressed how important it was for the two institutions, as a contribution to the development and consolidation of stable, open and integrated societies, to continue their very positive co-operation and base their support to states on shared values and common strategies, and make additional efforts to check the state of implementation of their recommendations.

9. Georgia

Mr Castella Andreu reminded that the Commission had already adopted two opinions in June and October 2017 on the constitutional reform in Georgia and that the current and third opinion was focused on the draft supplementary constitutional amendments that were adopted at the second reading by the Parliament of Georgia on 15 December 2017. The last and final reading of the draft constitutional amendments was scheduled to take place on 22 March 2018. The declared aim of those draft amendments was to implement the Venice Commission's previous recommendations.

Concerning the procedure, Mr Castella pointed to the lack of consensus in the Georgian Parliament about the constitutional reform; in Tbilisi, the opposition parties had informed the Commission delegation that they would not participate in the third and final reading of the constitutional amendments. He underlined that any constitutional reform should seek the widest possible consensus.

In substance, the most crucial aspects of the supplementary amendments were the electoral system and fundamental rights. The proportional election system will enter into force during the 2024 parliamentary elections, with an election threshold of 5%; electoral blocks will not be allowed. The supplementary amendments abandoned the previous system of distribution of unallocated mandates in parliament, which according to the Commission's previous assessment favoured the majoritarian party, and opted for the equal distribution of unallocated mandates. In addition, in order to alleviate the negative effects of the postponement of the entry into force of the proportional election system to 2024, certain additional measures concerning solely the 2020 elections were proposed. Thus, exclusively for the 2020 parliamentary elections, which will be held according to the mixed election system, smaller parties will be able to form electoral blocks (electoral coalitions) and the election threshold will be reduced to 3%. The Opinion welcomed these transitory draft provisions which are aimed at ensuring pluralism in Parliament.

Concerning fundamental rights draft Article 18 of the Constitution on access to information was not as such problematic and appeared to be in conformity with international standards as long as the legitimate aims for restricting this right were interpreted narrowly. As regards the late introduction of this amendment into the constitutional reform process, the opinion expressed the view that all issues within the framework of a constitutional reform should be adequately discussed. Concerning the freedom of faith, Article 16 had been redrafted in order to be in line with the second paragraph of Article 9 ECHR.

Mr Castella also pointed out a number of previous recommendations of the Venice Commission which had not been followed: the election of Supreme Court judges without the involvement of the Parliament, the abolition of the prohibition of creation of political parties on territorial principle and the requirement of a qualified majority in Parliament for the election of the Prosecutor General.

Ms Tamar Khulordava, Chair of the EU integration Committee of the Georgian Parliament, explained that the constitutional reform process was now in its final stage. She reminded the Commission that in 2010, Georgia had already made a move from a presidential system towards a parliamentary system, but this move at the time was partial and that there was a consensus in Georgia among the different stakeholders that this move should be completed and the competences of different state institutions should be better defined. One of the principal purposes of the constitutional reform was to end the domination by one party in the Georgian parliament, which also explained the adoption of a fully proportional election system in the current constitutional reform. Although the proportional system would only enter into force during the 2024 elections, the transitional system put in place for the 2020 elections was also fully in line with international electoral standards. With the current amendments, the parliament would become more representative and more pluralistic.

The Commission adopted the Opinion on the draft constitutional amendments adopted on 15 December 2017 at the second reading by the Parliament of Georgia (CDL-AD(2018)005).

10. Republic of Moldova

Amendments to the Electoral Legislation

Mr Holmøyvik informed the Commission that the draft joint opinion by the Venice Commission and the OSCE/ODIHR on amendments to the electoral legislation of the Republic of Moldova was a follow-up to the opinion adopted in June 2017 on the draft amendments to this legislation. It focused on amendments adopted after the previous opinion and had to be read in conjunction with the opinion on the financing of political parties adopted in December 2017. The legislation under consideration had introduced a mixed system, while the 2017 and 2014 opinions had raised serious concerns over the introduction of such a system, since single-member constituencies could be vulnerable to undue influence of local businesspeople. This conclusion was still valid in the absence of new information. A considerable number of recommendations had been addressed, at least partially. However, the draft opinion still made several recommendations for improvement, notably following the introduction of single-member constituencies. In particular, it reiterated the recommendation to lower thresholds. Concerning the establishment and drawing of constituencies, the law provided for an independent commission appointed by the government; while its composition was broad and inclusive, too wide a discretion was given to the government, so there was no guarantee of a balanced representation. The criteria for constituency borders were clearly set out in the law, in conformity with the Code of good practice in electoral matters; however, a number of constituencies exceeded the law's maximum size. The establishment of constituencies and polling stations in Transnistria and abroad raised particular challenges: the criteria for their establishment could be further clarified.

Mr Lappin welcomed that a number of prior recommendations had been addressed, but he also recalled concerns such as the absence of a really inclusive reform process. ODIHR would deploy a needs assessment mission in order to follow the implementation of the law closely.

Mr Sergiu Sîrbu, Member of Parliament, Democratic Party (PDM), stated that the Parliament had followed 90 % of the recommendations. He disagreed with the conclusion criticising the change of electoral system; this was an issue of political expediency. He underlined the commitment of the Moldovan authorities to organise elections in conformity with international standards.

Mr Sergiu Ostaf, Director of the Resource Center for Human Rights (CREDO) of the Republic of Moldova, informed the Commission that he had participated in the drawing of electoral districts, and had proposed an alternative project. On the basis of the present electoral results, no gerrymandering could be proven.

The Commission adopted the Joint Opinion by the Venice Commission and the OSCE/ODIHR on Amendments to the Electoral Legislation of the Republic of Moldova (CDL-AD(2018)008), previously adopted by the Council for Democratic Elections.

Constitutional amendments on the Judiciary

Mr Varga explained that the draft opinion on the draft Law amending and supplementing the Constitution of the Republic of Moldova (Judiciary) had been prepared in the framework of the process implementing the national judicial action plan for EU association. The text examined was a constitutional amendment and therefore it was not as detailed as was required for implementing legislation.

The opinion focused on the composition of the Superior Council of Magistracy. The draft law removed the *ex officio* members, the Minister of Justice, the President of the Supreme Court and the Prosecutor General from the Council. There were no common standards on *ex officio* members and given that even the Minister of Justice had accepted his own removal from the Council, there were no objections against it. It was however important that dialogue between the Superior Council of the Magistracy and the other institutions be ensured by other means. The draft amendments did not specify the part of judges in the Superior Council of Magistracy and the method of appointment of representatives of civil society. The draft opinion recommended clarifying these issues.

The removal of probationary periods for judges was welcomed, notably as there was no mechanism for automatic permanent appointments at the end of the probationary period in the absence of disciplinary problems. The draft opinion also welcomed that functional immunity of judges was introduced on the constitutional level.

The Commission adopted the opinion on the draft Law on amending and supplementing the Constitution of the Republic of Moldova (Judiciary) (CDL-AD(2018)003).

Constitutional amendment on freedom of association

Ms Kiener introduced the draft opinion, requested by the Ministry of Justice of the Republic of Moldova, on the Draft Law on the Modification of Article 42 of the Constitution of the Republic of Moldova regarding the freedom of association. The introduction of the freedom of association as a constitutional right was a welcome development; the main question was whether new Article 42 of the Constitution should contain a special limitation clause, or the general limitation clause now contained in Article 54 should suffice (as suggested by the Constitutional Court). The opinion suggested that these two limitation clauses may co-exist, but the specific limitation clause in new Article 42 should be a *lex specialis*. The removal of the special article dedicated to the trade-unions should not reduce the level of constitutional protection given to them. It was important to ensure coherence between Article 41 (on political parties) and new Article 42 (on the freedom of association in general) - Article 41 would need to be amended, in due course. The draft opinion also stressed that, while it is permissible to limit freedom of association in order to prevent “crime”, the notion of “crime” should be interpreted autonomously, in line with international standards.

The Commission adopted the opinion on the Draft Law on the Modification of Article 42 of the Constitution of the Republic of Moldova regarding the freedom of association (CDL-AD(2018)007).

11. Ukraine

Mr Clayton explained that the two draft laws under scrutiny (Nos. 6674 and 6675) were designed to replace previously imposed and widely criticised e-declaration requirements for anti-corruption activists through a regime of burdensome tax reporting and enhanced public disclosure of detailed financial information, to be submitted by civil society organisations (public associations) whose total annual income exceeded 300 subsistence minimums (currently approximately 14 350€) and individual beneficiaries of international technical assistance.

Mr Clayton stressed that both the new financial disclosure regime for civil society organisations and the e-declaration requirements for anti-corruption activists conflicted with

human rights and fundamental freedoms, namely, the freedom of association, the right to respect for private life and the prohibition of discrimination. No legitimate aim for such far-reaching disclosure rules had been substantiated. It was therefore crucial that the e-declaration requirements be cancelled (as foreseen by draft law No. 6674), before the deadline of 1 April 2018, for submission of the first e-declarations by anti-corruption activists, and that the new financial reporting and disclosure requirements under draft laws No. 6674 and 6675 either be removed in their entirety or, at a minimum, be narrowed down substantially. In their current form, the stringent disclosure requirements, coupled with severe sanctions in case of non-compliance, were likely to have a chilling effect on the civil society and might even jeopardise the very existence of a number of civil society organisations which might lose their non-profit status as a sanction.

Mr Marcin Walecki also stressed the lack of inclusive and effective public consultation in the law-making process – which appeared to be a worrying trend in several member States.

The Commission adopted the Joint Opinion on Financial Reporting Requirements for NGOs (CDL-AD(2018)006), previously examined by the Sub-Commission on Fundamental Rights at its meeting on 15 March 2018.

12. Romania

Ms Kjerulf-Thorgeirsdottir explained that draft law 140/2017 aimed at amending a number of provisions of Governmental Ordinance 26/2000 concerning the conditions of recognition of public utility status for associations, and at introducing new reporting obligations for all associations concerning their financial resources. The declared aim of those legislative amendments according to an explanatory note is on one hand to privilege, in the procedure for obtaining the public utility status by associations, some areas of activities which have priority in the satisfaction of needs of the Romanian society and on the other hand, to reduce suspicions regarding the legality of the financing of associations and to increase public trust in their activities.

Although the draft Opinion welcomed the endeavour of the draft law to be more specific in what is to be regarded as being in “the general interest” in the procedure of recognition of public utility status for associations, it recommended however that a number of other important areas of activities, such as “democracy, human rights, rule of law and fight against corruption” should be added to the list of public utility areas. A “catch all” clause could also be inserted at the end of the list of specified areas in order for this provision to cover other general interest areas which were not specifically mentioned in the draft provision. Moreover, a clear provision should be introduced indicating the availability of legal protection (judicial review) before the courts for associations which have been denied “public utility” status. The opinion also criticised the prohibition made by the draft law to associations which have obtained “public utility” status to pursue any political activity (as defined in the draft law) and recommended that the prohibition be limited to clear cases of support, for instance explicit fundraising, in favour of or against a particular party or candidate and that the public utility associations not be prevented from “undertaking advocacy on issues of public debate”.

Concerning the new reporting obligations for all associations regarding their financial resources, the Opinion concluded that those reporting obligations, including the sanction of suspension and dissolution of associations concerned in case of non-compliance were clearly unnecessary and disproportionate and should be repealed. Finally, the draft Opinion recommended that the draft law be submitted to broad consultation before adoption.

Ms Oana Consuela Florea, Member of the Parliament of Romania, explained that reports made two years ago by the former government concluded that among the associations which benefit from public support, only 10% had obtained "public utility" status through Government Ordinance 26/2000, among which only 39% had published their activity reports in the NGO register and only 51%, in the official journal of Romania. 17 of them had not reported their financial accounting in 2015. The government report concluded that the legislative framework, including the provisions regarding the recognition conditions of the public utility status should be amended. Ms Florea informed the Commission that the Government of Romania had delivered a negative report about the provisions of the draft law and that according to it, only public funding sources should be published and only major private funding should be reported to the financial administrative body without publication. However, they were in the middle of a legislative process and the public debate on the draft amendments was on-going.

The Commission adopted the Joint Opinion on Draft Law No. 140/2017 on Amending Governmental Ordinance No. 26/2000 on Associations and Foundations (CDL-AD(2018)004), previously examined by the Sub-Commission on Fundamental Rights at its meeting on 15 March 2018.

13. Armenia

Mr Velaers introduced the Joint Opinion on the Draft Law amending the Law of the Republic of Armenia "On Freedom of Conscience and on Religious Organisations", requested by the Minister of Justice of the Republic of Armenia and prepared jointly with the OSCE/ODIHR.

Overall, the Draft Law was an improvement, even if there were some outstanding issues. The Draft Law should cover not only religious but also all other forms of "belief", and an open-ended list of rights enjoyed by all religious groups, even not registered, should be created; at the same time, it was legitimate to give "religious organisations" some specific additional rights. Grounds for limiting the manifestation of freedom of religion should be narrowly formulated; reference to "state security" should be removed from the list of legitimate aims or given an *interpretation conforme*. Registration could not be made dependent on the religion/belief being based on a "historically canonized holy book". Refusal of registration could be justified only on the ground of serious defects specified in the law . The law should allow commercial activities for religious organisations - provided that gaining profit did not become their essential goal. The absolute ban on foreign funding of religious organisations should be reconsidered. Sanctions should be more gradual and respect the principle of proportionality.

The Commission adopted the opinion on the Draft Law amending the Law of the Republic of Armenia "On Freedom of Conscience and on Religious Organisations" (CDL-AD(2018)002), previously examined by the Sub-Commission on Fundamental Rights at its meeting on 15 March 2018.

14. "The former Yugoslav Republic of Macedonia"

Mr Eşanu presented the draft opinion on the draft law on prevention and protection against discrimination, prepared at the request of the Ministry of Labour and Social Policy. The draft law represented a real improvement on the Law currently in force, with many positive aspects. It provided for a shared burden of proof in discrimination cases, for the professionalisation of the Commission for protection against discrimination with full time employed members, and for the financial independence of the Commission. Furthermore, it laid down the conditions for a "gender-balanced participation" for the selection of the members of the Commission, established an administrative office for the Commission,

mentioned expressly sexual orientation and gender identity as grounds for discrimination, and exempted court proceedings in discrimination cases from court fees, etc.

However a number of recommendations could help to improve the quality of the draft law and ensure its full conformity with international standards. The draft opinion notably insisted on the necessity of providing additional safeguards so as to ensure a real independence for the Commission, in particular by amending provisions concerning the election and dismissal of its members. The early termination of the mandate of members of the Commission as a result of the entry into force of the draft law was highly problematic in terms of independence of the Commission and should be reconsidered.

Ms Gjulten Mustafova, State Advisor for Non-Discrimination and Human Rights of the Ministry of Labour and Social Policy, explained that the draft law aimed to cover all aspects of discrimination and provide a solid basis for a more effective protection against discrimination. The Ministry had already received opinions from other international organisations which were consistent with the draft opinion of the Venice Commission, but did not recommend reconsideration of the early termination of mandate of members of the Commission. The drafters had already started to amend the draft law according to the recommendations received, except the one concerning the early termination of mandate. Ms Mustafova also stated that the recommendation suggesting a qualified majority for the election and dismissal of the members of the Commission could not be addressed because it would require a constitutional amendment.

The Commission adopted the opinion on the Draft Law on prevention and protection against discrimination of "the former Yugoslav Republic of Macedonia" (CDL-AD(2018)001).

15. Report on the Identification of electoral irregularities through statistical methods

Mr Juraj Medzihorsky informed the Commission that statistical identification of electoral irregularities was a new, quickly developing field. Since most results were accessible online, methods which needed little staff and money could be used to help identify electoral irregularities, in combination with classical methods. However, they could be bypassed by fraudsters.

The report referred to three approaches:

1) Numeral based methods, which relied on the occurrence of the last or other digits. These methods were based on the following assumptions: (a) Frequencies of numerals in correct elections are known and invented numbers will not correspond to them; (b) the results are correct subject to evidence to the contrary; (c) there is a threshold for evidence of irregularity; however, there were problems with all these assumptions.

Another group of numeral methods, instead of asking "were there irregularities", asked "what was their extent", so there was no need for an arbitrary threshold. The results were then split into two groups: the questioned results and the results believed to be correct, to be compared.

2) Shares based methods: for example, shares of voters who turned out, or yes votes in various polling stations were compared, and suspect results were identified (such as an excessive number of similar turnouts, or clusters of polling stations with suspect shares of winner's/invalid votes).

3) Risk limiting audits: this was the most rigorous method. It required physical access to ballots or records assuming that the results were not correct, and led to an audit on a random sample. It implied assuming that certain results were not correct, and looking for evidence that they were.

In short, there were multiple statistical methods, which were a less expensive complement to conventional methods and did not suffice for definitive conclusions. Different methods were sensitive to different forms of irregularities. Methods complemented each other, since each of them could not alone bring a conclusion. There was also new research on combining different sources of evidence such as election observation or reports by voters. For example, these kinds of evidence can help to identify polling stations which are better candidates for auditing.

Mr Kask stated that the Council for Democratic Elections had initiated the study, with the idea to find material for the future work of observers, Electoral Management Bodies, and courts assessing the legality of elections; the document mentioned the limits of these methods, but their aim was not to prove irregularities but to point out possible problems which should be assessed further. Statistical methods were not usable for campaigning, abuse of administrative resources or candidate registration, but focused on the election day and counting.

The Commission took note of the report on the identification of electoral irregularities through statistical methods (CDL-AD(2018)009), previously taken note of by the Council for Democratic Elections at its meeting on 15 March 2018.

16. Report on the Recall of Mayors/local elected representatives

Ms Karakamisheva-Jovanovska informed the plenary that the Commission's report on the conformity of the recall referendum with international standards and good practices had originated in a request from the Congress of Local and Regional Authorities of the Council of Europe. While examining the institution of the recall in the light of the Commission's previous work on the imperative mandate, the preliminary draft report distinguished recall as a political, potentially useful, tool, in particular at the local level, from the imperative mandate. It strived to identify both advantages and risks of the recourse to such an instrument of direct democracy within the framework of a representative system, in respect of local elected representatives (mayors and members of local councils). Existing examples of national legislation and practice, illustrating a variety of approaches to the recourse to recall, were a useful source of information and guidance, but also of questioning, in view of the finalisation of the report.

17. Information on constitutional developments in other countries

Kazakhstan

Mr Kairat Mami, President of the Constitutional Council of Kazakhstan, recalled the history of fruitful co-operation between Kazakhstan and the Venice Commission.

The essence of last year's constitutional reform, which was positively assessed by the Venice Commission, consisted of the redistribution of some of the powers of the President of the Republic between Parliament and the Government. Around 35 powers of the President had now been given to other State bodies. The judicial system and the procedural codes had also undergone significant changes: courts had received new powers at the pre-trial stage, the functions of the prosecution in the non-criminal sphere had been significantly reduced. The statute of the Ombudsman's office was now guaranteed at the constitutional level. The

scope of the constitutional review of laws (both preliminary and *ex post*) had been extended, it had become easier for the ordinary courts to address questions to the Constitutional Council. The law now regulated the removal of heads of local administrations. The overall direction of the reform had been to strengthen the rule of law in the country. Kazakhstan expected to continue its co-operation with the Venice Commission in this respect.

Turkey

Mr Can explained that in January 2018, in two separate judgments delivered in the framework of individual applications, the Constitutional Court found that the prolonged detention of two journalists for offences related to terrorism and the failed coup attempt in July 2016 violated their right to liberty and security and their freedom of expression. The Court considered that neither the detention order against the applicants nor the indictment included any facts as to the grounds justifying the detention orders. However, the first instance criminal court refused to implement the Constitutional Court's decisions and stated that the Constitutional Court had overstepped the limits of its power and substituted its own assessment of the evidence in the case file for the assessment of the first instance court. Mr Can underlined that the examination which the Constitutional Court carried out in those cases was similar to the one by the European Court of Human Rights in cases concerning Article 5 ECHR, which involved a review of the conclusions of the first instance court concerning the detention order in connection with the "existence of strong indication of guilt". Otherwise, the Constitutional Court did not engage in a fact-finding or evidence-evaluation process and from that point of view, the allegation of the first instance lacked any legal or constitutional basis.

Following the refusal of the first instance court to implement the previous judgment of the Constitutional Court, on 16 March 2018, the Constitutional Court found a new violation of the Constitution in the case of one of the applicants (the second applicant had in the meantime been convicted to a prison term) and did not step back from its position in its first judgment. The same day, the first instance criminal court decided unanimously to release the applicant, who was currently under house arrest. In conclusion, the constitutional crisis between the Constitutional Court and the first instance court seemed to have come to an end for now.

Mr Can also informed the Commission about the latest amendments made to the Electoral Code. For the first time in Turkey, election alliances were allowed and even if the percentage of a political party in the alliance remained below the 10% threshold, this party would be able to have seats in parliament. Moreover, according to these amendments, unstamped ballot papers during elections would be valid. Mr Can recalled that the use of unstamped ballot papers had created a heated controversy during the constitutional referendum of 16 April 2017. However, instead of finding an innovative solution to this controversy, the amendments authorised the use of unstamped ballots if they were sent (issued?) by the competent election board. In addition, the amendments allowed the police to approach and enter the areas of the polls and the polls to be moved to another polling area for security reasons.

18. Report on term limits and a possible individual right to re-election – Part I Presidents

Mme Otálora Malassis explique que l'Organisation des Etats Américains a posé quatre questions à la Commission, auxquelles le rapport sur la limitation des mandats – Partie I Présidents apporte des réponses.

Le rapport énonce tout d'abord qu'il n'existe pas un droit spécifique à la réélection : la limitation de celle-ci n'est qu'une modalité ou une restriction du droit d'être élu, qui est un aspect du droit à la participation politique. L'élimination des limites à la réélection peut engendrer des concentrations excessives de pouvoir, qui porteraient atteinte au droit de participation. La possibilité de réélection dépend du modèle constitutionnel.

Les démocraties fixent des limites aux mandats dans leurs constitutions, particulièrement dans les systèmes présidentiels ou semi-présidentiels où un système de poids et contrepoids est nécessaire. Ces limites dérivent d'un choix souverain justifié par le maintien de la démocratie. Par conséquent, les limites au mandat présidentiel ne restreignent pas les droits des aspirants candidats de manière excessive.

La restriction au droit des électeurs n'est pas disproportionnée non plus ; la capacité de choix est premièrement limitée par le nombre réduit de places disponibles, par les conditions légales du droit de vote et par les règles électorales. La limitation du mandat présidentiel est une autolimitation du droit de vote dans le but de préserver d'autres valeurs démocratiques. Au contraire, la limitation du mandat protège le droit de participation.

Toute modification des limitations du mandat présidentiel doit suivre la procédure constitutionnelle et faire l'objet d'un débat public étendu. Les modifications résultant en une augmentation du pouvoir exécutif ne devraient pas entrer en vigueur pour le Président en exercice. Un référendum n'est envisageable que s'il est prévu par la constitution, et après l'adoption des amendements constitutionnels par le pouvoir constituant. Finalement, les cours constitutionnelles ou suprêmes ne devraient jouer un rôle qu'après l'adoption par le pouvoir constituant.

M Tuori souligne que l'existence d'un droit spécifique à la réélection ne saurait être soutenue. A cet égard, il met également en garde contre l' « impérialisme des droits de l'homme » qui consiste à appliquer l'approche propre aux droits humains à tout aspect du comportement privé, de manière trop large et inappropriée.

Mme Err pose la question de l'opportunité d'imposer des limites au mandat des membres du parlement. M. Kask précise que cette question fera l'objet de la deuxième parti du rapport. A cet égard, Mme Cleveland souligne que certains arguments qui sont pertinents pour la limitation du mandat présidentiel ne sauraient s'appliquer au mandat parlementaire.

M Grabenwarter souligne que tout état a le droit d'imposer des limitations visant à empêcher l'instauration d'une dictature.

La Commission adopte le rapport la limitation des mandates – Partie I : Présidents (CDL-AD(2018)010), préalablement adopté par le Conseil des Elections démocratiques le 15 mars 2018.

19. Co-operation with other countries

Libya

Mr Frendo reported that as Libya prepared to hold elections in 2018, the international community active in electoral support processes had gathered into thematic working groups set up to co-ordinate international support among partners and to add advisory capacities to promote the consultation, drafting and approval of sound and conflict-preventive electoral legislation in line with internationally recognised standards, tailor-made to the current Libyan needs. The Venice Commission was invited by the EU Delegation (EUD) to Libya to support this initiative in November 2017. Mr Peter Wardle, expert of the Commission, participated in a series of working group meetings in January and February 2018 in Tunis providing advice on the laws on referendum, presidential election and general elections. His contribution was highly praised by the EUD and the UN Mission in Libya (UNMISL) which spearhead the international co-ordination mechanism. The Venice Commission remained at the disposal of

the EUD and UNSMIL to provide further expert assistance. Exchanges with the Libyan authorities were expected to take place in the near future.

Montenegro

Ms Granata-Menghini informed the Commission that the Minister of Justice of Montenegro, following a meeting between Mr Markert and the President of the Montenegrin Supreme Court, had sought the Commission's assistance in relation to the election of the four lay members of the Judicial Council. Indeed, a two-thirds majority was required by the Constitution but on account of the boycott of parliament by the opposition it was unlikely that the new members could be elected prior to the expiry of the mandate of the current members, which would result in the paralysis of the Judicial Council. A delegation of the Commission would travel to Montenegro in the coming weeks to help address this matter.

Ms Granata-Menghini recalled that the need for effective anti-deadlock mechanisms for electing constitutional judges, top judges or members of Judicial Councils was not new. In order to avoid the risk that deadlocks may lead to abandoning the qualified majority, which would carry the major risk of decreasing the general trust in the relevant bodies' independence, it was necessary to start an analysis of the existing practice in member states and an in-depth reflection on all the possible options.

Serbia

Mr James Hamilton, former member of the Venice Commission, informed the Commission that, at the request of the Ministry of Justice of Serbia, in his capacity of Venice Commission expert, travelled twice (in November 2017 and January 2018) to Belgrade to provide advice to the Ministry with respect to drafting the constitutional amendments in the field of the judiciary. Following these visits, the Ministry published on 22 January 2018 a working draft of amendments to the Constitution.

Mr Hamilton made it clear that he had not co-drafted the provisions in question and that he had only given advice on the concept paper previously drafted by the Ministry. He had advised the Ministry on a personal basis and had drawn attention to the proposals which may be problematic from the point of view of the previous opinions of the Venice Commission. Mr Hamilton also informed the Commission of the declared intention of the Ministry to request the Commission's opinion on the draft amendments after having finalised them.

20. Adoption of the Annual Report of activities 2017

The Commission adopted its annual Report of activities 2017.

21. Information on Conferences and Seminars

Mme Bazy Malaurie informe la Commission de Venise qu'à l'invitation de l'Union arabe de l'ordre administratif elle a participé avec M. Martin-Micallef du Secrétariat, à la première conférence internationale de l'Union, qui portait sur le traitement des litiges électoraux par le juge administratif(Le Caire, 8-9 janvier 2018). Tous les Etats membres de l'Union étaient représentés, ainsi que le Conseil d'Etat français et la Commission de Venise, seule institution internationale. Suite aux interventions appréciées de la Commission de Venise, le Conseil d'Etat égyptien a exprimé son souhait de coopérer plus avant avec la Commission de Venise. Cela se concrétisera prochainement par la participation du Conseil d'Etat à la 15e Conférence européenne des administrations électorales (Oslo, 19-20 avril 2018, thème : « La sécurité dans les élections »).

22. World Conference on Constitutional Justice

M. Buquicchio rappelle que la création de la Conférence mondiale sur la justice constitutionnelle, qui compte 112 cours et conseils constitutionnelles et suprêmes en tant que membres, est un des grands succès de la Commission de Venise. Par le passé, la Commission a contribué à la création des groupes régionaux et linguistiques des cours, mais avec la création de la Conférence mondiale qui fédère ces 10 groupes, il n'y a plus besoin de créer de nouveaux groupes, notamment s'ils poursuivent des intérêts politiques. Le Bureau de la Conférence mondiale est composé des représentants des dix groupes, de quatre cours qui représentent les continents ainsi que le dernier et le prochain hôte du congrès triennal.

Les thèmes qui seront discutés au Bureau, après la session plénière de la Commission, sont les suivants seraient :

- le rapport financier (chaque cour membre verse entre 200 et 2000 Euros par an en fonction du produit intérieur brut par personne) ;
- la proposition de la Cour hôte pour le thème du 5e Congrès (Alger, 2020) : « justice constitutionnelle et paix »;
- la première formation au niveau mondial pour les agents de liaison sur les contributions à la base de données CODICES (République dominicaine, février 2019) ;
- la mise en place d'un mécanisme pour le soutien aux cours membres qui font l'objet de pressions dans les pays qui ne sont pas membres de la Commission de Venise.

23. Report of the meeting of the Council for Democratic Elections (15 March 2018)

Mr Kask informed the Commission on past and future co-operation of the Council with the ODIHR, PACE and the Congress of Local and Regional Authorities, *inter alia*, in the field of election observation. He referred to the planned participation of the Venice Commission in several conferences and seminars in the electoral field and highlighted in particular the preparation of the 15th Conference of Electoral Management Bodies on the theme "Security in Elections" (Oslo, 19-20 April 2018). Mr Kask furthermore reported on the progress of the study on the treatment of electoral disputes (the Secretariat was collecting information on the situation in the member States) and on the preparation by the Congress of a preliminary draft report on voting rights at local level as an element of successful long-term integration of migrants and IDPs in Europe's municipalities and regions. The latter examined the international standards with regard to voting rights of IDPs and non-citizens, outlined the major challenges to the implementation of such rights and described the diversity of approaches chosen by Council of Europe member states in this respect. Comments by the Council for Democratic Elections and by organisations with observer status (notably IFES and the OSCE/ODIHR) would be taken into account in the further work on the study, which would then be submitted to the Congress for adoption in June 2018.

24. Report of the meeting of the Sub-Commission on Democratic Institutions (15 March 2018)

Mr Tuori, Chair of the Sub-Commission, explained that the Sub-Commission had discussed the preliminary draft report on the recall of mayors/local elected representatives, and provided input to the on-going work on this issue. In particular, it had been suggested making a clearer distinction between the applicability of the recall referendum to mayors, on the one side, and local councils, on the other side, and to clearly state that the recourse to such an instrument, where allowed by the national legislation, should only be a last resort measure. Moreover, it was essential to better highlight in the report, the distinction between cases involving the political responsibility of local elected representatives (where recall may

be applicable) and cases involving their legal responsibility, which should be decided by an independent judicial body, and not by popular vote. The Commission's members were also informed that they would be subsequently invited to provide information on the national legislation and practice concerning recall. The revised version of the draft report would be submitted to the Sub-Commission for examination, and to the plenary for possible adoption, in June 2018.

The Sub-Commission had also discussed issues raised by the appointment procedure to independent positions such as constitutional court judges, members of judicial councils, ombudspersons and, where appropriate, general prosecutors, in particular possible ways to address possible deadlocks. While the Commission consistently recommended that the holders of such positions should be elected by parliament by a qualified majority, this could lead or had led to problems in countries where there is no tradition of compromise between majority and opposition. The Sub-Commission had agreed to start a reflection on possible deadlock breaking mechanisms and decided to set up a working group to examine this topic. As a first step, the working group would conduct a survey of existing anti-deadlock mechanisms and make proposals on the form - possibly guidelines - in which their findings would be published.

25. Other business

Mr Helgesen informed the Commission that the draft Venice Principles on the protection and promotion of the Ombudsman Institution had now been finalised. The regional and linguistic associations of Ombudsman and the main international organisations would now be consulted on the text. Submission to the Plenary was planned for the end of 2018. In parallel, the Parliamentary Assembly was preparing a report on the institution of Ombudsman, which would draw on the Venice Principles. Mr Helgesen had presented them to the Committee of Legal Affairs in January. This work was also being co-ordinated with the CDDH.

Ms Granata-Menghini stressed that due to the lack of financial means, there was a serious risk that the procedure of consultation of the Ombudsman associations could only be done in writing. This simplified procedure would prevent in-depth discussions. She had applied for financing from member States through Council of Europe channels but she called on the members to find a voluntary contribution.

26. Dates of the next sessions

The schedule of sessions for 2018 was confirmed as follows:

115th Plenary Session	22-23 June 2018
116th Plenary Session	19-20 October 2018
117th Plenary Session	14-15 December 2018

The schedule for 2019 was announced as follows: 15-16 March 2019; 21-22 June 2019; 11-12 October 2019 and 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 list of participants