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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

114th PLENARY SESSION
(Venice, 16-17 March 2018)

SYNOPSIS

The Commission

- Paid tribute to late Mr Boguslaw Banaszak, member in respect of Poland;
- Was informed of the **difficult financial situation** following the reduction of the Commission's budget, thanked **Italy** for its recent **voluntary contribution** in addition to its statutory one, and encouraged all member states to also consider making additional contributions to the Commission's budget;
- Was informed on **follow up** to the:
 - Opinion on questions related to the appointment of Judges of the Constitutional Court of the **Slovak Republic**;
 - Opinion on the draft Law of **Ukraine** on Anti-Corruption Courts and on the draft Law on Amendments to the Law on the Judicial System on the Status of Judges;
 - Opinion on the Amendments to the law of Ukraine on elections regarding the exclusion of candidates from party lists;
 - 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;
 - 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;
 - Opinion on the Rules of Procedure of the Constitutional Chamber of the Supreme Court of the **Kyrgyz Republic**;
 - Opinion on the draft acts amending the Act on the National Council of the Judiciary, the Act on the Supreme Court and the Act on the organisation of Ordinary Courts of **Poland** and Opinion on the Act on the Public Prosecutor's Office of Poland; Opinion on the Act on the Constitutional Tribunal and Opinion on amendments to the Act of 25 June 2015 on the Constitutional Tribunal of Poland;
- Adopted the Joint Opinion by the Venice Commission and the OSCE/ODIHR on the draft law of **Armenia** on making amendments to the Law on Freedom of Conscience and on Religious Organisations, previously examined by the Sub-Commission on Fundamental Rights on 15 March 2018;
- Held an exchange of views with Ms Tamar Khulordava, Chair of the EU Integration Committee of the Parliament of Georgia, and adopted the Opinion on the draft Constitutional amendments as adopted in the second reading in December 2017 by the Parliament of **Georgia**;
- Held an exchange of views with Mr Sergiu Sîrbu, Member of Parliament, Democratic Party (PDM) and with Mr Sergiu Ostaf, Director of the Resource Center for Human Rights (CREDO) of the **Republic of Moldova**, and adopted the Joint Opinion of the Venice Commission and the OSCE/ODIHR on amendments to the electoral legislation of the Republic of Moldova, previously adopted by the Council for Democratic Elections on 15 March 2018;
- Adopted the Opinion on the draft law on amending and supplementing the Constitution of the Republic of Moldova in respect of the judiciary;
- Adopted the Opinion on the Draft law on modifications to Article 42 of the Constitution of the Republic of Moldova regarding freedom of association;

- Held an exchange of views with Ms Oana Consuela Florea, Member of Parliament of **Romania**, and adopted the Joint Opinion by the Venice Commission and the OSCE/ODIHR on the draft law of Romania revising Government Ordinance 26/2000 on associations and foundations, previously examined by the Sub-Commission on Fundamental Rights on 15 March 2018;
- Held an exchange of views with Ms Gjulten Mustafafova, State Advisor for Non-discrimination and Human Rights at the Ministry of Labour and Social Policy of “**the former Yugoslav Republic of Macedonia**”, and adopted the Opinion on the draft law on the prevention and protection from discrimination of “the former Yugoslav Republic of Macedonia”;
- Adopted the Joint Opinion by the Venice Commission and the OSCE/ODIHR on two draft laws of **Ukraine** “On introducing changes to the Tax Code to ensure public transparency of the financing of public associations and the use of international technical assistance” and “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”, previously examined by the Sub-Commission on Fundamental Rights on 15 March 2018;
- Adopted the Report on **Term limits, Part I: Presidents** at the request of the Organization of American States, previously examined by the Council for Democratic Elections on 15 March 2018;
- Took note of the Report on the **Identification of electoral irregularities through statistical methods**, previously examined by the Council for Democratic Elections on 15 March 2018;
- Adopted its **Annual Report of activities 2017**;
- Was informed on the request for assistance relating to the composition of the Judicial Council of **Montenegro**;
- Was informed on progress in the constitutional reform process in **Serbia**;
- Was informed on progress of work on the draft report on the **recall of Mayors/local elected representatives**;
- Was informed on recent constitutional developments in **Kazakhstan**, in **Palestine**¹ and in **Turkey**;
- Was informed on recent and possible future co-operation with **Libya**;
- Was informed on the results and conclusions of the International Conference on the “Role of administrative courts in electoral disputes” organised by the **Arab Union of Administrative Justice** (Cairo, 8-9 January 2018);
- Was informed on the meeting of the **Bureau of the World Conference on Constitutional Justice** (17 March 2018);
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** (15 March 2018);

¹ 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.

- Was informed on the results and conclusions of the meeting of the **Sub-Commission on Democratic Institutions** (15 March 2018);
- Was informed on progress in the preparation of the “**Venice Principles**” on the **protection and promotion of Ombudsman Institutions**;
- Held an exchange of views with Mr Lamberto Zannier, **OSCE High Commissioner on National Minorities** on possible synergies with the Commission;
- Held an exchange of views with the representatives of the **Committee of Ministers** and the **Congress of Local and Regional Authorities** of the Council of Europe;
- Confirmed the dates of the **next Plenary Sessions** as follows: 22-23 June 2018; 19-20 October 2018 and 14-15 December 2018 and fixed 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.