



Strasbourg, 24 June 2019

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Or. Engl

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

**119<sup>th</sup> PLENARY SESSION**  
**(Venice, 21-22 June 2019)**

**SYNOPSIS**

## The Commission

- Endorsed the urgent Opinion on the selection and appointment of Supreme Court judges of **Georgia**, with one additional clarification;
- Held an exchange of views with Mr Mehmet Zenka, Minister of Human and Minority Rights of **Montenegro** and adopted the Opinion on the draft Law of Montenegro on Freedom of Religion and Beliefs and the Legal Status of Religious Communities, previously examined by the Sub-Commission on Fundamental Rights on 20 June 2019;

Held an exchange of views with Mr Eugen Nicolicea, Vice President of the Chamber of Deputies of **Romania**, and adopted the Opinion on Emergency Ordinances GEO N° 7 and GEO N° 12, amending the Laws of Justice of Romania;

- Held an exchange of views with Mr Radu Marian, MP from the ACUM Coalition – PAS, who spoke also on behalf of Mr Liviu Vovc, MP from the ACUM coalition – DA, Mr Maxim Lebedinschi, Advisor to the President of the Republic and Mr Fadei Nagacevischi, Legal Advisor to the Socialist Party of the **Republic of Moldova** and adopted the Opinion on the Constitutional Situation in the Republic of Moldova with Particular Reference to the Possibility of Dissolving Parliament, previously examined at the joint meeting of the Sub-Commissions on Democratic Institutions and on the Mediterranean Basin on 20 June 2019;
- Held 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 and with Mr Ameer Larayedh, President of the Parliamentary Committee on Industry, Energy, Natural Resources, Infrastructure and the Environment of **Tunisia**, and adopted the Opinion on the Draft Organic Law of Tunisia on the Authority for Sustainable Development and the Rights of Future Generations, previously examined at the joint meeting of the Sub-Commissions on Democratic Institutions and on the Mediterranean Basin on 20 June 2019;
- Held an exchange of views with Ms Ingibjörg Sólrún Gísladóttir, Director of the **OSCE Office for Democratic Institutions and Human Rights**;
- Adopted the **Joint Guidelines on Freedom of Peaceful Assembly (3<sup>rd</sup> Edition) of the Venice Commission and OSCE-ODIHR**, previously examined by the Sub-Commission on Fundamental Rights on 20 June 2019;
- Adopted the **parameters on the relationship between the parliamentary majority and the opposition in a democracy: a checklist**, previously examined at the joint meeting of the Sub-Commissions on Democratic Institutions and on the Mediterranean Basin on 20 June 2019;
- Adopted the **Report on the Use of Digital Technologies and Elections**, previously adopted by the Council for Democratic Elections on 20 June 2019, and asked the rapporteurs to prepare a set of principles on this matter;
- Adopted the **Report on the Recall of Mayors and Other Local Elected Representatives**, previously adopted by the Council for Democratic Elections and examined at the joint meeting of the Sub-Commissions on Democratic Institutions and on the Mediterranean Basin on 20 June 2019;
- Adopted the proposal of the **Enlarged Bureau** not to introduce the possibility of attaching separate opinions to the opinions adopted by the Commission and instructed

the Sub-Commission on Working Methods to explore ways to enhance consideration, in the Commission's opinions, of all arguments brought forward by the members;

- Was informed on **follow up** to the:
  - Opinion on the law of **Hungary** on administrative courts and the law on the entry into force of the law on administrative courts and certain transitional rules;
  - Opinion on Constitutional arrangements and separation of powers and the independence of the judiciary and law enforcement of **Malta**;
  - **Principles on the Protection and Promotion of the Ombudsman Institution ("The Venice Principles")**;
  - Opinion on the Draft Law on the Judicial Council of **North Macedonia**;
  - Opinion on the draft amendments to the Law on Courts of North Macedonia;
  - 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" of **Ukraine**;
  - *Amicus curiae* brief for the Constitutional Court of Ukraine on separate appeals against rulings on preventive measures (deprivation of liberty) of first instance cases ;
- endorsed the Compilations of Venice Commission opinions and reports concerning **electoral systems and gender representation** and concerning **electoral systems and national minorities**;
- Was informed on recent constitutional developments in **Armenia**, including on the recent public declarations regarding the sitting members of the Constitutional Court, and asked the President to follow the situation closely with a view to making, if appropriate, a public statement in this respect;
- Authorised the preparation of an urgent opinion on the reform of the judicial code of Armenia, to be forwarded to the requesting authorities prior to the October Plenary Session;
- Was informed on recent constitutional developments in **Kazakhstan, Lithuania** and **Peru**;
- Was informed on recent events as well as on prospects for co-operation with **Argentina, Mongolia** and **Uzbekistan**;
- Heard an address by Mr Ulrich Meyer, President of the Federal Tribunal of **Switzerland**;
- Was informed on the results and conclusions of the:
  - **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);
  - Conference on “**Parliamentary Oversight: the Power to hold to Account**” (Tbilisi, Georgia, 6-7 June 2019);
- Was informed on the results and conclusions of the meeting of the **Joint Council on Constitutional Justice** (Rome, 23-24 May 2019);
  - Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** (20 June 2019) in particular on progress of work on the **Report on Election dispute resolution**;
  - 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;
  - Heard an address by the Governor of the **Council of Europe Development Bank**;
  - Was informed on preparations for the Commission’s **30<sup>th</sup> anniversary**;
  - Confirmed the dates of the **next Plenary Sessions** as follows: 11-12 October 2019 and 6-7 December 2019 and confirmed the dates for the **2020 Plenary Sessions** as follows: 20-21 March 2020; 19-20 June 2020; 8-9 October 2020 (30<sup>th</sup> anniversary) and 11-12 December 2020.