



Strasbourg, 9 December 2019

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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

121st PLENARY SESSION
(Venice, 6-7 December 2019)

SYNOPSIS

The Commission

- Adopted the Joint Opinion on Freedom of Assembly in **Bosnia and Herzegovina**, previously examined by the Sub-Commissions on National Minorities, on Federal and Regional State and on Fundamental Rights at their joint meeting on 5 December 2019;
- Held an exchange of views with Ms Anna Paskaleva, First Secretary at the Embassy of **Bulgaria** in Rome, and adopted the Opinion on draft Amendments to the Criminal Procedure Code and the Judicial System Act on Criminal Investigation against Top Magistrates, previously examined by the Sub-Commission on the Judiciary at its meeting on 5 December 2019;
- Adopted the *amicus curiae* Brief for the Constitutional Court of the **Republic of Moldova** concerning the Law on the Prosecutor's Office, previously examined by the Sub-Commission on the Judiciary at its meeting on 5 December 2019;
- Adopted the *amicus curiae* Brief for the Constitutional Court of the Republic of Moldova on the Criminal Liability of Constitutional Court Judges;
- Held an exchange of views with Mr Vasyl Bodnar, Deputy Minister of Foreign Affairs of **Ukraine**, and with Ms Iryna Podoliak, Deputy Minister of Culture, Youth and Sports, and adopted the Opinion on the Law on Supporting the Functioning of the Ukrainian Language as the State Language, previously examined by the Sub-Commissions on National Minorities, on Federal and Regional State and on Fundamental Rights at their joint meeting on 5 December 2019;
- Held an exchange of views with Mr Ivan Lishchyna, Deputy Minister of Justice of Ukraine, and adopted the Opinion on Amendments to the Legal Framework governing the Supreme Court and Bodies of Judicial Governance of Ukraine, previously examined by the Sub-Commission on the Judiciary at its meeting on 5 December 2019;
- Adopted the *amicus curiae* Brief for the Constitutional Court of Ukraine on the Early Termination of the Mandate of Members of Parliament of Ukraine, previously examined by the Sub-Commission on Democratic Institutions at its meeting on 5 December 2019;
- Held an exchange of views with Mr Bujar Osmani, Deputy Prime Minister of **North Macedonia** and adopted the Opinion on the Law on the Use of Languages of North Macedonia, previously examined by the Sub-Commissions on National Minorities, on Federal and Regional State and on Fundamental Rights at their joint meeting on 5 December 2019;
- Adopted the **Report on the compliance with Council of Europe and other international standards of the inclusion of a not internationally recognised Territory in a State's Nationwide Constituency for Parliamentary Elections**, at the request of the Committee on Rules of Procedure, Immunities and Institutional Affairs of the Parliamentary Assembly of the Council of Europe, previously examined by the Council for Democratic Elections and by the Sub-Commission on International Law at their respective meetings on 5 December 2019;
- Adopted the Comments on the **Recommendation of the Parliamentary Assembly of the Council of Europe on "Ombudsman Institutions in Europe - the need for a set of common standards"** to be transmitted to the Committee of Ministers in view of the preparation of its reply to that Recommendation;

- Was informed on **follow-up** to: the Principles on the Protection and Promotion of the Ombudsman Institution ("**The Venice Principles**"); the Joint Opinion on the Amendments to the Judicial Code on integrity and disciplinary liability of Judges of **Armenia**, the Opinion on the constitutional implications of the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence (**Istanbul Convention**) by Armenia; the Opinion on the Draft law on Prevention and Protection against Discrimination of North Macedonia; the Joint Opinion on the legal framework governing the funding of political parties and electoral campaigns of the Republic of Moldova; the Final Opinion on the Law on Government Cleansing (Lustration Law) of Ukraine; the Joint opinion on the draft Election Code of **Uzbekistan**; the Opinion on the Draft Act amending the Act on the National Council of the Judiciary; the Draft Act amending the Act on the Supreme Court, proposed by the President of Poland, and the Act on the Organisation of Ordinary Courts of **Poland**;
- Was informed on constitutional developments in **Argentina** and in **Japan**;
- Was informed on recent developments in Bosnia and Herzegovina, in **Georgia**, in the **United Kingdom** and in **Spain**;
- Was informed on prospects of co-operation with **Kazakhstan**;
- Following the proposals made by the Committee of Wise Persons, **elected for a term of two years**:

G. Buquicchio (Italy) as President;

C. Bazy-Malaurie (France), P. Dimitrov (Bulgaria) and R. Kiener (Switzerland) as Vice-Presidents;

H. Kjerulf Thorgeisdottir (Iceland), V. Bílková (Czech Republic), M. Frenzo (Malta) and T. Khabrieva (Russian Federation) as members of the Bureau;

The Chairs of the Sub Commissions and Councils as follows:

Scientific Council: J. Helgesen (Norway)

Fundamental Rights: B. Vermeulen (Netherlands)

Federal and Regional State: J. M. Castella Andreu (Spain)

International Law: I. Cameron (Sweden)

National Minorities: J. Velaers (Belgium)

Judiciary: R. Barrett (Ireland)

Democratic Institutions: K. Tuori (Finland)

Working Methods: B. Mathieu (Monaco)

Latin America: J. Otálora Malassis (Mexico)

Mediterranean Basin: G. Jeribi (Tunisia)

Rule of Law: S. Holovaty (Ukraine)

Council for Democratic Elections¹: O. Kask (Estonia)

Joint Council on Constitutional Justice: N. Alivizatos (Greece)

The Vice-Chairs of the Sub Commissions and Councils (without representation on the Enlarged Bureau) as follows:

Scientific Council: Y. Atar (Turkey)

Fundamental Rights: J. Omejec (Croatia)

Federal and Regional State: P. Carozza (USA)

¹ The Vice-President was elected by the Council from among the representatives of the Assembly and the Congress.

International Law: F. Maiani (San Marino)
National Minorities: W. Newman (Canada)
Judiciary: Z. M. Knežević (Bosnia and Herzegovina)
Democratic Institutions: D. Meridor (Israel)
Working Methods: T. Otty (United Kingdom)
Latin America: J. L. Sardon (Peru)
Mediterranean Basin: K. Feniche (Algeria)
Rule of Law: Q. Qerimi (Kosovo)
Joint Council of Constitutional Justice: A. Varga (Hungary).

- Postponed the election of the Chair and Vice-chair of the Sub-Commission on Gender Equality to March 2020;
- Welcomed the new co-operation programme for Central Asia co-funded by the European Union;
- Was informed on the results and conclusions of:
 - 7th Intercultural Workshop on Democracy, *High Councils for the Judiciary (HCJ) and the Independence of the Judiciary*, Strasbourg, 28-29 October 2019;
 - 10th UniDem Med Regional Seminar, *Leading Innovation in the Civil Service: from Rule of Law Standards to Leadership*, Amman, 4-6 November 2019;
 - 3rd Meeting of the Global Network of Electoral Justice, Los Cabos, 6-8 November 2019;
 - XIVth Inter-American Meeting of Electoral Management Bodies, Panama City, 13-14 November 2019;
 - IXth International Congress of Comparative Law, *Legal Values in the Comparative Law Focus*, Moscow, 2-3 December 2019.
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** (5 December 2019), in particular on progress of work on the **Report on Election dispute resolution**;
- Held an exchange of views with the representatives of the **Congress of Local and Regional Authorities** of the Council of Europe;
- Confirmed the dates of the **next Plenary Sessions** as follows: 20-21 March 2020; 19-20 June 2020; 9 October 2020 and 11-12 December 2020.
- Confirmed that the celebration of the Commission's **30th anniversary** will take place on 8 October 2020 in Palazzo Ducale in Venice in the presence of the President of the Republic of Italy.