



**PRESIDENCY OF FINLAND**

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**PRÉSIDENTE DE LA FINLANDE**

Conseil de l'Europe  
Novembre 2018 – Mai 2019



**LUND**  
UNIVERSITY

**FACULTY  
OF LAW**



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Strasbourg 2 May 2019

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

**AND**

**LAW FACULTY OF LUND UNIVERSITY**

**Under the auspices of**

**THE PRESIDENCY OF FINLAND**

**UNIDEM SEMINAR**

**THE STATE OF DEMOCRACY  
THIRTY YEARS AFTER THE FALL OF THE IRON CURTAIN**

**“GAMLA TRYCKERIET”  
LILLA GRÅBRÖDERSGATAN 3  
THE PUFENDORF AUDITORY  
LUND, SWEDEN**

**6 May 2019 from 9.00 am to 5.30 pm  
7 May 2019 from 09.30 am to 2.00 pm**

**PROGRAMME**

## **CONCEPT**

In 2000, the Venice Commission, together with the Law Faculty of Lund University, organised UniDem seminar on “Democracy in a society in transition”, where the progress made by these countries and the contribution of the Commission, in particular with regard to the new democracies of Central and Eastern Europe, were discussed. During its first ten years of existence, the Venice Commission had made a significant contribution to the post—1980 constitutional reforms in these countries. The 2000 seminar summarized these achievements in an optimistic tone. Now, 18 years later, a fresh assessment is called for, both of constitutional developments and of the Venice Commission acquis, again in particular with regard to Central and Eastern European countries. Many of these countries have since embarked on a second-round of constitutional reforms and on extensive legislative reforms. In respect of some of these reforms, notably in the most advanced countries, the Venice Commission opinions reflect a grave concern over the fate of the rule of law, democracy and human rights. The new Lund UniDem seminar aims to take stock of the post-2000 developments and the positions taken by the Venice Commission.

## Monday 6 May 2019

- 8:30 – 09:00**                      **Arrival and Registration**
- 9:00-9:10                         **Opening remarks**  
Mr Hans Heinrich Vogel, former Venice Commission member, Sweden
- 9:10-9:20                         **Welcoming remarks**  
Ms Elinor Hammarskjöld, Director General, Swedish Ministry of Foreign Affairs
- 9:20-9:35                         **Lund 2000/2020: the role of the Venice Commission**  
Mr Thomas Markert, Director, Venice Commission
- 10:05 – 12:45**                      **Session I - Rule of Law**
- Chair:** Johan Hirschfeldt, Venice Commission substitute member, Sweden
- Discussant:** Mr Serhiy Holovaty, Judge, Constitutional Court of Ukraine, Venice Commission member, Ukraine
- 09:35 – 10:05                      “*A growing or diminishing role of the High Judicial Councils*”  
Ms Hanna Suchocka, Venice Commission Honorary President, Poland
- 10:05-10:35                         “*The role of the Prosecution*”  
Mr James Hamilton, former Venice Commission member, Ireland
- 10:35-10:55                         Coffee break
- 10:55-11:25                         “*Risks of Backsliding*”  
Mr Jean Claude Scholsem, Venice Commission substitute member, Belgium
- 11:25-11:45                         Comments by discussant
- 11:45-12:45                         Discussion and conclusion by the Chair
- 12:45-14:15                         Lunch break
- 14:15 – 17:30**                      **Session II - Fundamental Rights**
- Chair:** Mr Peter Paczolay, Judge, European Court Human rights, Venice Commission Honorary President, Hungary
- Discussant:** Mr Nils Muiznieks, former Council of Europe Commissioner for Human Rights, Latvia
- 14:15-14:45                         “*Restrictions to freedom of association*”  
Ms Veronika Bilkova, Venice Commission Vice-President, Czech Republic

- 14:45-15:15                    “*Extremism as a justification for restricting fundamental rights*”  
Mr Iain Cameron, Venice Commission member, Sweden
- 15:15-15:45                    “*Peacefulness of public events*”  
Ms Claire Bazy-Malaurie, Venice Commission member, France
- 15:45-16:10                    Coffee break
- 16:10- 16:30                    Comments by discussant
- 16:30- 17:30                    Discussion and conclusion by the Chair

End of day 1

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**Tuesday 7 May 2019**

**09:30 – 12:05**

**Session III – Democracy**

**Chair:** Sir Roger Gale, Chair, Committee on the Honouring of Obligations and Commitments by member States of the Council of Europe (Monitoring Committee)

**Discussant:** Professor Andrey Medushevsky, Higher School of Economics, Russian Federation

- 9:00-9:30                        “*Shift from Presidentialism to Parliamentarism: Armenian perspective and trends in Eastern Europe*”  
Mr Vardan Poghosyan, Venice Commission substitute member, Armenia
- 9:30-10:00                       “*Application of the principles on free and fair elections*”  
Mr Oliver Kask, Venice Commission member, Estonia, Chair of the Council for Democratic Elections
- 10:00-10:30                       “*The role of the Constitutional Court in the frame of the rule of law*”  
Mr Sergio Bartole, former Venice Commission member, Italy
- 10:30-10:45                       Coffee Break
- 10:45-11:05                       Comment by discussant
- 11:05-12:05                       Discussion
- Closing session**
- 12:05-12:35                       General report  
Mr Kaarlo Tuori, Venice Commission member, Finland
- 12:35-12:45                       Concluding remarks by representatives of the Lund University and the Venice Commission

End of day 2