



Strasbourg, 13 March 2017

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

**110<sup>th</sup> PLENARY SESSION**  
**(Venice, 10-11 March 2017)**

**SYNOPSIS**

## The Commission

- Held an exchange of views with Mr Talgat Donakov, Deputy Head, Administration of the President of the Republic of **Kazakhstan**, and adopted:
  - the opinion on the draft **amendments to the Constitution** of the Republic of Kazakhstan, and
  - the opinion on the draft law of the Republic of Kazakhstan on **administrative procedures**;
- Adopted the joint opinion by the Venice Commission, the Directorate of Information Society and Action against Crime and the Directorate of Human Rights (DGI) on draft law No 281 amending the legislation of the Republic of **Moldova** dealing with the “**Security Mandate**”;
- Adopted the *amicus curiae* brief for the Constitutional Court of the Republic of Moldova on the **criminal liability of judges**;
- Was informed about two possible requests for opinion on the constitutional and electoral reforms in Moldova;
- Held an exchange of views with Mr Róbert Madej, Chairman of the Constitutional and Legal Affairs Committee of the National Council of the **Slovak Republic**, and with Mr Jan Mazak, Adviser to the President of the Slovak Republic, and adopted the opinion on the appointment of judges to the Constitutional Court of the Slovak Republic, previously examined by the Sub-commission on Constitutional Justice on 9 March 2017;
- Held an exchange of views with Mr Rafael Andrés Leon Cavero, Government Agent, Ministry of Justice of **Spain**, and adopted the opinion on the amendments to the law on the Constitutional Court of Spain, previously examined by the Sub-commission on Constitutional Justice on 9 March 2017;
- Held an exchange of views with Mr Selahaddin Menteş, Deputy Undersecretary, Ministry of Justice of **Turkey**, and adopted:
  - the opinion on the measures provided in the recent **emergency decree laws** of Turkey with respect to the freedom of the **media**;
  - the opinion on the **amendments to the Constitution** of Turkey submitted to a national referendum on 16 April 2017, previously examined by the Sub-commission on Democratic Institutions on 9 March 2017, and
  - the opinion on the law of Turkey on **criminal peace judgeships**;
- Adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft **Checklist of the Congress of Local and Regional Authorities of the Council of Europe** for compliance with international standards and best practices preventing **misuse of administrative resources during electoral processes at local and regional level**, previously adopted by the Council for Democratic Elections on 9 March 2017;
- Was informed on progress of work on the draft opinion on the law on the Constitutional Court of **Armenia** and authorised the rapporteurs, to prepare, if necessary, a preliminary opinion to be sent to the Armenian authorities prior to the June session;
- Was informed on **follow-up** to: the Opinion on the Act on the Constitutional Tribunal of **Poland**; the Opinion on Emergency Decree Laws of Turkey N°s 667-676 adopted following the failed coup of 15 July 2016; the *amicus curiae* Brief for the Constitutional Court of **Albania** on the Law on the Transitional Re-evaluation of Judges and Prosecutors (The Vetting Law); the Joint Opinion on the Draft Constitutional Law of Armenia on Political Parties; the Opinion on the draft Constitutional Law on the Human Rights Defender of

Armenia; the *amicus curiae* Brief for the Constitutional Court of **Bosnia and Herzegovina** on the mode of elections in the House of Peoples of the Parliament of the Federation of Bosnia and Herzegovina; the Opinions on the package of draft laws aimed at the reform of the judicial system of **Georgia**; the Opinion on the Draft Code of Judicial Ethic of the Republic of Kazakhstan; the Joint Opinion on the draft Law on the Prosecution Service of the Republic of Moldova and the Final Opinion on the Amendments to the Federal Constitutional Law on the Constitutional Court of the **Russian Federation**;

- Endorsed the compilation of Venice Commission opinions and reports concerning **referendums** prepared by the Scientific Council and decided to prepare a further report on referendums and in particular on the risks of abuse of referendums;
- Adopted its **annual report of activities 2016**;
- Held an exchange of views with representatives of the **Committee of Ministers**, of the **Parliamentary Assembly** and of the **Congress of Local and Regional Authorities** of the Council of Europe;
- Held an exchange of views with Mr Michael Georg Link, Director of the **OSCE Office for Democratic Institutions and Human Rights**, on present and future co-operation;
- Held an exchange of views with Mr Ali Abu Diak, Minister of Justice of the **Palestinian National Authority**, on possible co-operation;
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- Held an exchange of views with Mr Rafael Ribo, Chairman of the **European Chapter of the International Ombudsman Institute**;
- Was informed on future co-operation on the constitutional reform in **Georgia**;
- Was informed on constitutional developments in **Hungary** and **Romania**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** held on 9 March 2017 and of the election of Mr Oliver Kask as President of the Council for a term of two years;
- Was informed on the progress of work on the report on **interaction between the majority and the opposition in a democratic society** and on the Conference on this topic, organised in co-operation with the Presidency of Romania, to take place in Bucharest on 6-7 April 2017;
- Was informed on the results and conclusions of the Conference of **Arab Electoral Management Bodies** on “Strengthening the Independence of Electoral Management Bodies” which took place in Tunis on 7-9 February 2017, and on the preparation of the 5<sup>th</sup> **Intercultural Workshop on Democracy** organised in the framework of the **Cyprus Presidency** of the Committee of Ministers of the Council of Europe and in co-operation with the Ministry of Foreign Affairs of Cyprus, entitled “Interaction between Constitutional Courts and Ordinary Courts” which will take place in Nicosia on 3-4 April 2017;
- Was informed on the meeting of the Bureau of the **World Conference on Constitutional Justice** to take place in Venice on Saturday 11 March 2017;
- Was informed on a project concerning **Rule of Law oversight in the European Union**;

- Confirmed the dates of the **next Plenary Sessions** as follows: 16-17 June 2017; 6-7 October 2017 and 8-9 December 2017.