



2000



COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

Strasbourg, 18 October 2000

<cdl\doc\2000\summary\cdl-fed- pv15.e>

<cdl\doc\2000\summary\cdl-dem- pv10.e>

Restricted

CDL-FED (2000) PV15

CDL-DEM (2000) PV10

## **EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

(VENICE COMMISSION)

**JOINT MEETING OF THE SUB-COMMISSIONS  
ON FEDERAL AND REGIONAL STATE  
AND DEMOCRATIC INSTITUTIONS  
(Venice, 12 October 2000 at 2.00 p.m.)**

**MEETING REPORT**

### **1. Adoption of the Agenda**

The agenda was adopted as it appears in document CDL-DEM (2000) OJ10 /CDL-FED (2000) OJ15.

### **2. General legal reference framework facilitating the settlement of ethno political conflicts in Europe**

Mr Garrone presented the document entitled “General legal reference framework facilitating the settlement of ethno political conflicts in Europe” (document CDL (2000) 70). He recalled that the Commission had already adopted a basic document on this subject at its last meeting (document CDL (2000) 50). At their 718<sup>th</sup> meeting (19 July 2000) the Ministers’ Deputies took note that the Venice Commission was ready to undertake an indicative study on this issue. The study was drawn up following a request from the Italian Presidency of the Committee of Ministers.

The study does not set out to propose solutions to any or all conflicts, but takes a general approach, based on the experience of systems which allow a plurality of levels of public authority. It is divided into two parts: first, the general context (permanence of states, territorial integrity, existing solutions), and the questions to be dealt with in such systems (distribution of powers, participation of entities in the decision making process of the central State, settlement of disputes, international guarantee).

**The joint meeting decided to submit the study on ethno political conflicts to the Plenary Commission for adoption, with some modifications.**

### **3. Progress of work on the Guidelines for the Financing of political parties**

Mr Robert recalled the principal points of this subject, as they were dealt with in the document adopted by the Commission at its June meeting (see document CDL-PP (2000) 1rev). The constant aim is to identify who provides the funding, therefore what constitutes a political party; to determine on what occasion this funding should intervene, in a permanent manner or during the electoral campaign; to establish sanctions in case of violation of rules on financing.

Mr Robert requested those Commission members interested in the follow-up to this study to let the Secretariat know. A meeting on this subject will take place in November.

## **A P P E N D I X**

### **LIST OF PARTICIPANTS**

#### **ALBANIA/ALBANIE:**

M. Luan OMARI, Vice Président de l'Académie des Sciences de l'Albanie

#### **ANDORRA/ANDORRE:**

M. François LUCHAIRE, Président honoraire de l'Université de Paris I, ancien membre du Conseil constitutionnel français, ancien Président du Tribunal constitutionnel d'Andorre

#### **AUSTRIA/AUTRICHE:**

M. Franz MATSCHER, Professeur, Université de Salzbourg, ancien juge à la Cour Européenne des Droits de l'Homme

#### **BELGIUM/BELGIQUE:**

M. Jean-Claude SCHOLSEM, Professeur, Faculté de droit, Université de Liège

#### **CROATIA/CROATIE:**

Mr Stanko NICK, Presidential foreign policy adviser

#### **CYPRUS/CHYPRE:**

Mr Panayotis KALLIS, Judge, Supreme Court

#### **CZECH REPUBLIC/REPUBLIQUE TCHEQUE:**

Ms Ivana IANU, Vice-President of the Constitutional Court

#### **ESTONIA/ESTONIE:**

Mr Peeter ROOSMA, Adviser, Supreme Court

#### **FRANCE:**

M. Jacques ROBERT, Président honoraire de l'Université de droit, d'économie et des Sciences sociales de Paris, Ancien Membre du Conseil constitutionnel

#### **GERMANY/ALLEMAGNE:**

Mr Helmut STEINBERGER, Professor at the University of Heidelberg, Former Director of the Max-Planck Institute

#### **GREECE/GRECE:**

M. Constantin ECONOMIDES, Professeur à l'Université Pantios, ancien Directeur du Département juridique, ministère des Affaires Etrangères

#### **ICELAND/ISLANDE:**

Mr Hjörtur TORFASON, Judge, Supreme Court

#### **IRELAND/IRLANDE:**

Mr James HAMILTON, Director of Public Prosecutions

#### **LITHUANIA/LITUANIE:**

Mr Kestutis LAPINSKAS, President of the Division of Administrative Cases, Court of Appeal

**LUXEMBOURG:**

Mme Lydie ERR, Députée

**NETHERLANDS/PAYS-BAS:**

Mr Pieter VAN DIJK, State Councillor, Former Judge at the European Court of Human Rights

**PORTUGAL:**

M. Vital MOREIRA, Professor, Law Faculty, University of Coimbra

Mme Maria de Jésus SERRA LOPES, Conseillère d'Etat, ancienne Bâtonnière de l'Ordre des avocats

**ROMANIA/ROUMANIE:**

Mr Alexandru FARCAS, Adviser, Permanent Mission of Romania in Geneva

**SWEDEN/SUEDE:**

Mr Hans-Heinrich VOGEL, Professor in Public Law, University of Lund

**SWITZERLAND/SUISSE:**

M. Giorgio MALINVERNI, Professeur à l'Université de Genève

**TURKEY/TURQUIE:**

Mr Ergun ÖZBUDUN, Professor at Bilkent University, Vice-President of the Turkish Foundation for Democracy

**UKRAINE:**

Mr Serhiy HOLOVATY, Member of Parliament, President of the Ukrainian Legal Foundation

**UNITED KINGDOM/ROYAUME-UNI :**

Mr Jeffrey JOWELL, Professor of Public Law, University College London

**ASSOCIATE MEMBERS**

**BOSNIA AND HERZEGOVINA/BOSNIE ET HERZEGOVINE :**

Mr Cazim SADIKOVIC, Professor at the Faculty of Law, University of Sarajevo, Former President of the Constitutional Court of Bosnia and Herzegovina

**SECRETARIAT**

Mr Gianni BUQUICCHIO

Mr Thomas MARKERT

Mr Pierre GARRONE

Mr Serguei KOUZNETSOV