



Strasbourg, 20 May 2014

**CDL-JU-OJ(2014)002**  
Or. Engl.

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

**13<sup>th</sup> meeting of the Joint Council  
on Constitutional Justice**

**Batumi, Georgia**

**26 June 2014, 2 p.m. – 6 p.m.**

**27 June 2014, 9. a.m. - 6 p.m.**

**(Meeting of the Working Group on  
the Systematic Thesaurus**

***Thursday, 26 June 2014 from 9.30 a.m. to 10 a.m.***

**and**

**Training session**

***Thursday, 26 June 2014 from 10.30 a.m. to 1 p.m.)***

**DRAFT ANNOTATED AGENDA**

**THURSDAY, 26 JUNE 2014**

**A. Working Group on the Systematic Thesaurus**

**(9.30 a.m. – 10 a.m.)**

*The Working Group will meet to discuss possible additions and amendments to Version 21 of the Systematic Thesaurus (see document CDL-JU(2014)006).*

*Modifications made to Version 21 of the Systematic Thesaurus will be presented to the Joint Council for adoption. A new Version 22 of the Systematic Thesaurus will then be published after the meeting (see item 13, below).*

**B. Training session**

**(10.30 a.m. – 1 p.m.)**

*The Secretariat will present the various IT- tools at the disposal of the liaison officers:*

- a) *Password reset procedure*
- b) *Public and restricted Web-site of the Venice Commission, including the list of Courts, the list of secretaries general, the list of liaison officers, regional and linguistic groups, the World Conference on Constitutional Justice, opinions and reports*
- c) *Interim Bulletin*
- d) *Venice Forum Newsgroup, classic Venice Forum and the Constitutional Justice Observatory*
- e) *CODICES database (Internet and DVD versions)*

*The Secretariat will make a brief presentation on the preparation of précis.*

**C. Joint Council meeting**

**(2 p.m. – 6 p.m.)**

***Opening address***

*Mr George Papuashvili, President of the Constitutional Court of Georgia, member of the Venice Commission*

**1. Adoption of the Agenda**

**2. Election of a Co-President of the Joint Council on behalf of the liaison officers**

Please inform the Secretariat, before the meeting, if you would like to stand as candidate for this position.

**3. Communication by the Secretariat**

The Secretariat will inform the participants about the current activities of the Venice Commission.

#### 4. Updating data on the participating courts

Liaison officers are invited to let the Secretariat know whether the information regarding their Courts is correct (please log on before you use the links below: <https://cas.coe.int/cas/login?service=http://www.venice.coe.int/Account/login.aspx>).

<http://www.venice.coe.int/webforms/courts/>

<http://www.venice.coe.int/WebForms/contacts/Default.aspx?cat=LO>

#### 5. Venice Forum

##### 5.a. “Classic” Venice Forum

The Secretariat will report on the exchange of information on the ‘Classic’ Venice Forum.

Link: <http://www.venice.coe.int/JU/VeniceForum/>

Year	Number of questions received (in total)	Number of answers received (in total)
2013	30	501
2014 (up to 25/04/14)	12	177
<b>TOTAL</b>	<b>42</b>	<b>678</b>

##### 5.b. Venice Forum Newsgroup

The Newsgroup site will include the “classic” Venice Forum, the Constitutional Justice Observatory and the Interim Bulletin.

The Secretariat uses the Venice Forum Newsgroup to inform liaison officers about accessions to the World Conference on Constitutional Justice (WCCJ) and appointments of Presidents to Courts. Liaison officers are alerted about new items added to the Newsgroup every Friday at 16:00 CET. Liaison officers that are new or have not received such alerts are invited to contact the Secretariat.

Liaison officers are invited to share their experience with respect to the Venice Forum Newsgroup.

Link: <https://cwsm.coe.int/team21/veniceforum>

#### 6. Opinions and studies of the Venice Commission

Participants will be informed about opinions and studies on ordinary and constitutional justice, adopted by the Venice Commission since the last meeting of the Joint Council that took place in Venice, Italy on 8-9 October 2013.

*October 2013 – 96<sup>th</sup> Plenary Session of the Venice Commission*

Montenegro	Opinion on draft amendments to three constitutional provisions relating to the Constitutional Court, the Supreme State Prosecutor and the Judicial Council of Montenegro (CDL-AD(2013)028) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)028-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)028-e</a>
Ukraine	Joint opinion by the Venice Commission and the Directorate for Human Rights on the Law on the Public Prosecutor's Office (CDL-AD(2013)025) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)025-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)025-e</a>

*December 2013 – 97<sup>th</sup> Plenary Session of the Venice Commission*

Tajikistan	Opinion on the Code of Judicial Ethics of Tajikistan (CDL-AD(2013)035) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)035-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)035-e</a>
Ukraine	Opinion on the draft law on Amendments to the Constitution to strengthen the Independence of Judges in Ukraine (CDL-AD(2013)034) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)034-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2013)034-e</a>

*March 2014 – 98<sup>th</sup> Plenary Session of the Venice Commission*

Armenia	Joint opinion by the Venice Commission and the Human Rights Directorate of the Directorate General of Human Rights and Rule of Law (DGI) on the draft Law on making amendments and supplements to the Judicial Code of the Republic of Armenia (CDL-AD(2014)007) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)007-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)007-e</a>
Bosnia and Herzegovina	Opinion on the draft Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (CDL-AD(2014)008) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)008-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)008-e</a>
Moldova	Joint opinion by the Venice Commission and the Directorate of Human Rights of the Directorate General of Human Rights and Rule of Law of the Council of Europe, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR), on the draft Law on disciplinary liability of judges (CDL-AD(2014)006) <a href="http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)006-e">http://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2014)006-e</a>

*June 2014 – 99<sup>th</sup> Plenary Session of the Venice Commission*

Albania	Draft Opinion on the draft amendments to the Criminal Procedure and Civil Procedure Codes
Kyrgyzstan	Draft Opinion on the draft amendments to the Law on the status of judges
	Draft Opinion on the amendments to the Law on the Constitutional Chamber
Tajikistan	Draft Opinion on the draft law on the Constitutional Court

**7. Co-operation activities****7.a. Co-operation with the Conference of European Constitutional Courts (CECC)**

Participants will be informed about the Venice Commission's co-operation with the Conference of European Constitutional Courts (CECC). See also under 10.b. below.

**7.b. Co-operation with the Association of Constitutional Courts using the French Language (ACCPUF)**

Participants will be informed about the Venice Commission's co-operation with the Association of Constitutional Courts using the French Language (ACCPUF).

**7.c. Co-operation with the Southern African Chief Justices Forum (SACJF)**

Participants will be informed about the Venice Commission's co-operation with the Southern African Chief Justices Forum (SACJF).

**7.d. Co-operation with the Conference of the Constitutional Control Organs of the Countries of New Democracy (CCCOCND)**

Participants will be informed about the co-operation with the Conference of the Constitutional

Control Organs of the Countries of New Democracy (CCCOCND) and the Venice Commission.

**7.e. Co-operation with the Association of Asian Constitutional Courts and Equivalent Institutions (AACC)**

Participants will be informed about the co-operation with the Association of Asian Constitutional Courts and Equivalent Institutions and the Venice Commission (AACC).

**7.f. Co-operation with the Ibero-American Conference of Constitutional Justice (CIJC)**

Participants will be informed about the co-operation with the Ibero-American Conference of Constitutional Justice (CIJC).

**7.g. Co-operation with the Union of Arab Constitutional Courts and Councils (UACCC)**

Participants will be informed about the co-operation with the Union of Arab Constitutional Courts and Councils (UACCC).

**7.h. Co-operation with the Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP)**

Participants will be informed about the co-operation with the Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP).

**7.i. Co-operation with the Conference of Constitutional Jurisdictions of Africa (CJCA)**

Participants will be informed about the co-operation with the Conference of Constitutional Jurisdictions of Africa (CJCA).

**8. World Conference on Constitutional Justice (WCCJ)**

Since the WCCJ's Statute entered into force on 24 September 2011, 86 Constitutional Courts, Constitutional Councils and Supreme Courts exercising constitutional justice have acceded to the WCCJ. The updated list of members is available at [www.venice.coe.int/WCCJ](http://www.venice.coe.int/WCCJ).

Participants will be informed on the progress made in the preparation of the 3<sup>rd</sup> Congress of the WCCJ, which will be hosted by the Constitutional Court of the Republic of Korea in Seoul, on 28 September to 1 October 2014. The topic of this Congress is: "**Constitutional Justice and Social Integration**".

**9. Seminars and conferences with Constitutional Courts (CoCoSem)**

Participants will be informed about the seminars and conferences in which the Venice Commission has participated since the last Joint Council meeting as well as the programme for future CoCoSem seminars.

**2014 – completed events**

12-15 May	Vienna - XVI <sup>th</sup> Congress of the Conference of European Constitutional Courts
28-30 April	Istanbul - 2 <sup>nd</sup> Congress of the Association of Asian Constitutional Courts and

	Equivalent Institutions
27-29 April	<i>Ottawa</i> - Conference of Heads of Institutions of the Association of Constitutional Courts using the French Language (ACCPUF)
24 April	<i>Amman</i> - Conference with the Constitutional Court on "Constitutional Courts And The Judiciary: Protecting Human Rights Together"
26-28 March	<i>Sarajevo</i> - International Conference with the Constitutional Court on: "Constitutional Court – Between a Negative Legislator and Positive Activism"
12-14 March	<i>Santo Domingo</i> - X <sup>th</sup> Ibero-American Conference of Constitutional Justice on "Legal rules and the Supremacy of the Constitution"
28 February – 1 March	<i>Tbilisi</i> - Conference on "Selection and Evaluation Criteria for Judges" with the Ministry of Justice of Georgia
<b>2014 – upcoming events</b>	
2-3 June	<i>Benguela</i> – General Assembly of the Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP)
27-28 June	<i>Minsk, Belarus</i> – International conference on "Constitutional review: modern tendencies of development and improvement"
7 July	<i>Strasbourg</i> - Conference on « Best Constitutional Court Practices in Europe" in co-operation with the Constitutional Court of Turkey and the Directorate of Human Rights/DGI of the Council of Europe
September	<i>Chisinau</i> – Conference celebrating the 20 <sup>th</sup> anniversary of the Constitution of Moldova
17-20 September	<i>Skopje</i> - International conference with the Constitutional Court on Contemporary Challenges of the Constitutional Judiciary, with two sub topics: 1. The principle of separation of powers and its protection by the Constitutional Court; and 2. Constitutional review of byelaws
23-24 October	<i>Yerevan</i> - Conference in co-operation with the Constitutional Court of Armenia and the Conference of Constitutional Control Organs of the Countries of New Democracy (CCCOOND) on the "Constitutional Status of Human Dignity".
November	<i>Strasbourg</i> – Training for ACCPUF liaison officers on contributing to CODICES
November	<i>Algiers</i> – Meeting on "Progress of constitutionalism in Africa" of the Conference of Constitutional Jurisdictions of Africa (CJCA)
14-15 November	<i>Beirut</i> – Conference on the "Evaluation of the experience of Arab states with respect to constitutional review" organised by the Constitutional Council of Lebanon with the participation of the Union of Arab Constitutional Courts and Councils (UACCC)

## 10. Publication of the *Bulletin on Constitutional Case-Law*

### 10.a Regular issues of the *Bulletin*

Participants will be shown Bulletin no. 2013/2.

### 10.b Special *Bulletins*

The Special Bulletin on Court Descriptions, last published in 1999, will be published this year.

A link to the working document on "Co-operation of Constitutional Courts in Europe – current situation and perspectives" for the XVI<sup>th</sup> Congress of the Conference of European Constitutional Courts, which was held in Vienna on 12-15 May 2014, was distributed at the end of May 2014 (<http://www.venice.coe.int/files/2014-05-02-CECC-e.pdf>).

This working document will be published in 2015 as a Special Bulletin together with the General Report of the XVI<sup>th</sup> Congress.

## **11. CODICES database**

### ***Updating and indexing of constitutions, laws and descriptions in CODICES***

Participants will be informed about the progress made in updating constitutions, laws on and descriptions of courts (see CDL-JU(2014)006).

## **12. Documentation Centre on Constitutional Justice / Library**

The Secretariat will thank the participating courts for their contributions to the Documentation Centre. The list of documents is available at:

<http://www.venice.coe.int/WebForms/cocentre/new.aspx>

## **13. Version 22 of the Systematic Thesaurus**

The Secretariat will present the conclusions of the meeting of the Working Group on the Systematic Thesaurus (meeting: 9.30-10.00 on 26 June 2014).

The participants will be invited to adopt any modifications made to the Systematic Thesaurus. This will then be published in a "Version 22" of the Systematic Thesaurus.

## **14. Other business**

## **15. Date and place of the next meeting**

The next meeting of the Joint Council will take place in Bucharest in 2015, upon the kind invitation of the Constitutional Court of Romania.

FRIDAY, 27 JUNE 2014
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**C. Mini conference on the “Role of constitutional courts in economic crises”**

**(10 a.m. – 3:30 p.m.)**

**Brief opening remarks**

Chair: [tbc]

10:15 a.m. -10:35 a.m. *“Decisions by the Constitutional Court of Slovenia related to economic crises”*

Vesna Božič, Constitutional Court, Slovenia

10:35 a.m. -10:55 a.m. *“The role of the Greek Council of State in reviewing the intent of the legislator while restricting rights”*

Theodora Ziamou, Council of State, Greece

**10:55 a.m. -11:25 a.m. Discussion**

11:25 a.m. -11:45 a.m. *“Crisis related Cases in the Council of State’s Case-Law”*

Marjolein von Roosmalen, Council of State, Netherlands

11:45 a.m. -12:05 p.m. [tbc]

Mirjana Stresec, Constitutional Court, Croatia

**12:05 p.m. -12:30 p.m. Discussion**

**12:30 p.m. -2 p.m. Lunch**

2 p.m. - 2:20 p.m. *“The role the Hungarian Constitutional Court could play in economic crises”*

Krisztina Kovacs, Constitutional Court, Hungary

2:20 p.m. - 2:40 p.m. [tbc]

Manuela Baptista Lopes, Constitutional Tribunal, Portugal

**2:40 p.m.- 3:10 p.m. Discussion**

**3:10 p.m.- 3:30 p.m. Closing remarks\***

**\* the mini-conference may continue after lunch if there are additional speakers**