



Strasbourg, 9 November 2018



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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(COMMISSION DE VENISE)**

in co-operation with

**THE MINISTRY OF FOREIGN AFFAIRS
and
THE MINISTRY OF RELATIONS WITH INDEPENDENT BODIES
AND CIVIL SOCIETY**

OF TUNISIA

6th INTERCULTURAL WORKSHOP ON DEMOCRACY

**THE ROLE AND PLACE OF INDEPENDENT BODIES
IN A DEMOCRATIC STATE**

Tunis, 13-14 November 2018

Hôtel Mövenpick Gammarth, El Marsa

AGENDA

Towards a Strengthened Democratic Governance in the Southern Mediterranean

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Tuesday 13 November 2018

09.00 Registration

9.30- 10.00 OPENING SESSION

Opening Statements:

- **Mr Gianni BUQUICCHIO**, President of the Venice Commission
- **Mr Ahmed OUNAIES**, Former Minister of foreign affairs, Tunisia
- **Mme Katariina LEINONEN**, Head of the Political Section, Press and Communication, Delegation of the European Union in Tunisia

10.00-13.15 **SESSION I**

INDEPENDENT BODIES: CONSTITUTIONAL FRAMEWORK AND LEGAL NATURE

Moderators :

Ms Semia ZOUARI, Director General in charge of NATO, OSCE and Council of Europe, Ministry of Foreign Affairs, Tunisia

10.00-10.15 *The role and place of Independent Bodies in a Democratic State - Constitutional and other independent bodies - their "raison d'être"*
Ms Finola FLANAGAN, Expert, Former Member of the Venice Commission in respect of Ireland, Commissioner for the Law Reform, Ireland

10.15-10.45 *How is an "independent" body defined in relation to the traditional functions: legislative, executive or judicial?*
Mr Mousa BURAYZAT, Commissioner General, National Center for Human Rights, Jordan

Mr Chafik SARSAR, former President of the Independent Electoral Body (ISIE), Tunisia

10.45-11.00 **Coffee break and group photo**

11.00-11.30 *Selection of members of independent bodies - moral authority v. technical skills*
Ms Lydie ERR, Member of the Venice Commission in respect of Luxembourg, former Ombudsperson

Mr Yasser ABDELAZIZ HASSANIEN, Member of the National Council for Human Rights (NHCR), Egypt

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- 11.30-11.45 *What are the international criteria for the accreditation of National Human Rights Institutions?*
Ms Afarin SHAHIDZADEH, Expert, Secretary of the Sub-Committee on Accreditation, Office of the High Commissioner for Human Rights/National Human Rights Institutions, (OHCHR/NHRI), Geneva
- 11.45-13.00 Discussion
- 13.00-13.15 Conclusions of the first session
- 13.15-14.30 Lunch break

14.30-17.45 SESSION II

INDEPENDENT CONSTITUTIONAL BODIES AND THEIR RELATIONSHIP WITH THE LEGISLATIVE AND JUDICIAL POWERS

Moderator:

Mr Chawki TABIB, Chairman of the Bar, National Body in charge of the fight against corruption

- 14.30-14.45 *The nature of the acts issued by independent bodies and their impact on other state institutions;*
Mr Emir POVLAKIĆ, Expert, Head of Division, Licensing, Digitalisation and Coordination in Broadcasting, Regulatory Agency of Communications, Bosnia and Herzegovina
- 14.45-15.00 *The conditions for independent bodies in the light of practice*
Ms Sihem BENSEDRINE, President, Instance Truth and Human Dignity (IVD), Tunisia
- 15.00-15.15 *The execution of the acts of independent bodies and their impact on the legislative agenda*
Mr Andriy MAGERA, Expert, Former Deputy Chairman, Central Electoral Commission, Ukraine
- 15.15-15.30 *The relationships between independent bodies and the legislative and the judicial powers*
Mr Chawki GADDES, President, National Data Protection Instance (INPDP), Tunisia
- 15:30-15:45 *Investigative and decision making powers of independent bodies in the light of procedural safeguards*
Ms Fafa SID LAKHDER BENZERROUKI, President, National Council of Human Rights, Algeria
- 15.45-16.00 *Judicial review of the acts of independent and constitutional bodies*
Ms Imed HASGUI, President, Authority for Access to Information (INAI), Tunisia

16.00-16.45	Discussion
16.45-17:15	Coffee break
17.15-17.45	Conclusions of the first day of the Workshop

Wednesday 14 November 2018

09.30-12.15 **SESSION III**

INDEPENDENT AUTHORITIES AND THE EXECUTIVE POWER

Moderator:

Mr. Hedi GDIRI, President, High Judicial Council, Tunisia

09.30-09.45	<i>How does the executive power of the authorities fit into the national legal order? The challenges faced by INE during the 2017 – 2018 electoral process in Mexico</i> Mr Alejandro de Jesus SCHERMAN ALEÑO , Expert, National Electoral Institute, Mexico
09.45-10.00	<i>Independent bodies: a guarantee for a society of equals</i> Mr Nouri LAJMI , President, High Independent Authority of Audiovisual Communication (HAICA), Tunisia
10.00-10.15	<i>The impact of the decisions of independent bodies on national administrations</i> Ms Anne-Sophie BONNET , Expert, Controller in charge of international relations, Office of the Comptroller General of Places of detention (CGLPL), France
10.15-10.30	<i>The financing of independent bodies as a guarantee of independence</i> Mr Jean-François FURNÉMONT , Expert, former Director General of the Broadcasting Council of the French-speaking Community of Belgium (CSA) and former Chairperson of the European Platform of Regulatory Authorities (EPRA), Belgium
10.30-11.00	Coffee break
11.00-11.30	Discussion
11.30-12.15	Conclusions of the third session
12.30-14.00	Lunch break

14.00-16.00

SESSION IV**THE RELATIONSHIP BETWEEN THE BODIES THEMSELVES****Moderator :**

Ms Raoudha LAABIDI, President, National Instance against Trafficking in Human Beings (INLCT), Tunisia

14.00-14.15

Multiplication of independent bodies and definition of their respective competencies;

Ms Neila CHAABANE, Substitute Member of the Venice Commission in respect of Tunisia, Dean, Faculty of Legal, Political and Social Sciences of Tunis

14.15-14.30

Coordination and co-operation between the various bodies

Mr Fethi JARRAY, President, National Institute for the Prevention of Torture (INPT), Tunisia

14.30-15.30

Discussion

15.30-15.45

Final conclusions and closure of the 6th Intercultural Workshop on Democracy

15.45

Refreshment

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