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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

98th PLENARY SESSION
(Venice, 21-22 March 2014)

SYNOPSIS

The Commission

- Held an exchange of views with Mr Dimitry Vyatkin, Deputy Chairman of the Committee on Constitutional Legislation and State Building of the Russian State Duma and endorsed the opinion on “Whether Draft Federal Constitutional Law No. 462741-6 on amending the Federal Constitutional Law of the **Russian Federation** on the procedure of admission to the Russian Federation and creation of a new subject within the Russian Federation is compatible with international law”, previously discussed at the joint meeting of the Sub-Commissions on the Federal and Regional State and on International Law;
- Held an exchange of views with Mr Pavlo Petrenko, Minister of Justice of **Ukraine** and adopted the opinion on “Whether the decision taken by the Supreme Council of the Autonomous Republic of Crimea in Ukraine to organise a referendum on becoming a constituent territory of the Russian Federation or restoring Crimea’s 1992 Constitution is compatible with constitutional principles”, previously discussed at the joint meeting of the Sub-Commissions on the Federal and Regional State and on International Law;
- Held an exchange of views with Mr Ioan Chelaru, Senator, Vice-President of the Senate of Romania and Vice-President of the Joint Parliamentary Commission for the Revision of the Constitution of Romania and adopted the opinion on the draft law on the review of the Constitution of **Romania**, previously discussed by the Sub-Commission on Democratic Institutions;
- Held an exchange of views with Mr Mustapha Ben Jaafar, President of the National Constituent Assembly of **Tunisia** on the recent adoption of the new Constitution of Tunisia and on future co-operation, notably in the preparation of the electoral law and the implementation of the Constitution;
- Held an exchange of views with Mr Grigor Muradyan, Deputy Minister of Justice of **Armenia**, and adopted the joint opinion by the Venice Commission and the Human Rights Directorate of the Directorate General of Human Rights and Rule of Law of the Council of Europe (DGI) on the draft Law on making amendments and supplements to the judicial code of Armenia;
- Was informed by Mr Hrayr Tovmasyan, Minister of Justice of Armenia, on the process of constitutional reform in Armenia;
- Held an exchange of views with Mr Srdjan Radulj, Deputy Minister of Justice of Bosnia and Herzegovina, and adopted the opinion on the draft law on the High Judicial and Prosecutorial Council of **Bosnia and Herzegovina**;
- Held an exchange of views with Ms Tatyana Burudjeva, Deputy Head of the delegation of the National Assembly of Bulgaria to the OSCE Parliamentary Assembly, Member of the Committee on the new Election code draft, and adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft Election Code of **Bulgaria**, previously adopted by the Council for Democratic Elections on 20 March 2014;
- Adopted the *amicus curiae* brief for the Constitutional Court of **Georgia** on individual access of public broadcasters to the Constitutional Court;
- Was informed on co-operation with the State Constitutional Commission of Georgia;

- Adopted the opinion on the draft law amending the law on freedom of religion in **Kosovo*** previously discussed by the Sub-Commission on Fundamental Rights;
- Held an exchange of views with Mr Andrian Candu, Deputy Speaker of the Parliament of the **Republic of Moldova** and adopted
 - the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft law amending the electoral legislation of the Republic of Moldova, previously adopted by the Council for Democratic Elections on 20 March 2014, as well as
 - the joint opinion by the Venice Commission, the Human Rights Directorate of the Directorate General of Human Rights and Rule of Law of the Council of Europe (DGI) and the OSCE/ODIHR on the draft law on disciplinary liability of judges of the Republic of Moldova;
- Adopted the joint opinion by the Venice Commission and the Human Rights Directorate of the Directorate General of Human Rights and Rule of Law of the Council of Europe (DGI) on the draft law on amending legislative acts concerning the law on intelligence service and the law on special investigative activities of the Republic of Moldova;
- Adopted the *amicus curiae* brief for the European Court of Human Rights on specific questions concerning **parliamentary investigation committees** (Case of Rywin v. Poland), previously discussed by the Sub-Commission on Fundamental Rights;
- Adopted the report on the **scope and lifting of parliamentary immunities**, previously discussed by the Sub-Commission on Democratic Institutions;
- Adopted the report on the **protection of children's rights**: international standards and domestic constitutions, previously discussed by the Sub-Commission on Fundamental Rights;
- Was informed on **follow-up** to the opinion on two sets of draft amendments to the constitutional provisions relating to the judiciary of **Montenegro**, to the opinion on the Draft Law on the Courts of Bosnia and Herzegovina and to the *amicus curiae* brief in the cases of Sejdić and Finci v. Bosnia and Herzegovina;
- Was informed on constitutional developments in **Turkey**;
- Was informed on co-operation with **Kazakhstan, Libya and Morocco**;
- Was informed on co-operation with **Albania** on the reform of the judiciary and authorised the transmission of the rapporteurs' preliminary remarks to the Albanian authorities prior to the next Plenary Session;
- Was informed by Professor Sir Jeffrey Jowell KCMG QC on future co-operation with the **Bingham Centre for the Rule of Law**;
- Adopted the **annual report of activities of the Venice Commission for 2013**;
- Held an exchange of views with representatives of the **Committee of Ministers**, the **Parliamentary Assembly** and the **Congress of Local and Regional Authorities** of the Council of Europe;

* All reference to Kosovo, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

- Invited its President to follow the situation in Ukraine with regard to possible criminal investigations against former judges of the Constitutional Court;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections**, held on 20 March 2014;
- Was informed on the results and conclusions of the **meeting of the Sub-Commission on Fundamental Rights**, held on 20 March 2014;
- Was informed on the results and conclusions of a working meeting on the **Commission's working methods**, held on 21 February 2014;
- Noted that, following the vacancy in the Chair of the **Sub-Commission on Latin America**, its Vice-Chair, Mr Gomes Barbosa, had become President and elected Mr Luna Ramos as Vice-Chair of the Sub-Commission;
- Was informed that, at the invitation of the Ministry of Foreign Affairs of Italy, the **100th Plenary Session will take place in Rome on 10-11 October 2014**; the other sessions for 2014 were fixed as follows: **13-14 June 2014** and **12-13 December 2014**, in Venice.