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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

106th PLENARY SESSION
(Venice, 11-12 March 2016)

SYNOPSIS

The Commission

- Held an exchange of views with Mr Kristaq Traja, Chair of the High Level Expert Group on the Amendment of the Constitution of **Albania**, and adopted the final opinion on the draft constitutional amendments on the judiciary of Albania;
- Held an exchange of views with Mr Thomas Campeaux, Director of Public Liberties and Legal Affairs, Ministry of the Interior, and adopted the opinion on the draft constitutional law “on protection of the Nation” of **France**, previously examined by the Sub-Commission on Fundamental Rights on 10 March 2016;
- Adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on amendments to the Election Code of **Georgia**, previously adopted by the Council for Democratic Elections on 10 March 2016;
- Held an exchange of views with Mr Konrad Szymański, Secretary of State, Ministry of Foreign Affairs, and with Mr Aleksander Stępkowski, Undersecretary of State, Ministry of Foreign Affairs, and adopted the opinion on constitutional issues addressed in the amendments to the Act of 25 June 2015 on the Constitutional Court of **Poland**, previously examined by the Sub-Commissions on Constitutional Justice and on International Law at their meeting on 10 March 2016;
- Held an exchange of views with Mr Andriy Klishas, Chair of the Committee on Constitutional Legislation and State Construction, Federation Council and with Mr. Dmitry Vyatkin, Deputy Chairman of the Committee of the State Duma on Constitutional Legislation and State-building and adopted the interim opinion on the Amendments to the Constitutional law on the Constitutional Court of **the Russian Federation** (implementation of findings of international bodies for the protection of human rights and freedoms), previously examined by the Sub-Commissions on Constitutional Justice and on International Law at their meeting on 10 March 2016;
- Held an exchange of views with Mr Selahaddin Menteş, Deputy Undersecretary, Ministry of Justice, and adopted the opinion on some provisions of the Penal Code of **Turkey**, previously examined by the Sub-Commission on Fundamental Rights at its meeting on 10 March 2016;
- Adopted the opinion on the Law on protection of privacy and the Law on the protection of whistleblowers of “**the former Yugoslav Republic of Macedonia**”, previously examined by the Sub-Commission on Fundamental Rights on 10 March 2016;
- Adopted the joint Guidelines by the Venice Commission and the OSCE/ODIHR for preventing and responding to the **misuse of administrative resources during electoral processes**, previously adopted by the Council for Democratic Elections on 10 March 2016;
- Adopted the **Checklist on the Rule of Law**, previously examined by the Sub-Commission on the Rule of Law on 17 December 2015 and on 10 March 2016;
- Was informed on the request for a joint opinion with the OSCE/ODIHR on the draft Electoral Code of **Armenia** and, in the light of the urgency of the matter, authorised the rapporteurs to send a preliminary opinion to the Armenian authorities prior to the June session;
- Endorsed the **compilations** of Venice Commission opinions and reports concerning **political parties** (update) and **local self-government**;
- Adopted the **Annual Report of activities 2015**;

- Was informed on follow-up to: the Joint Opinion on the Electoral Code of “the former Yugoslav Republic of Macedonia”; the Amicus Curiae brief in the case of **Rywin v. Poland** (Applications Nos 6091/06, 4047/07, 4070/07) **before the European Court of Human Rights** (on Parliamentary Committees of inquiry); the Joint Opinion on the draft act to regulate the formation, the inner structures, functioning and financing of political parties and their participation in elections of **Malta**; the Joint Opinion on the draft Law on the prosecution service of the Republic of **Moldova**; the Report on the **Freedom of expression of Judges**; the Report on **exclusion of offenders from Parliament**; the Opinions of 2015 on constitutional reform in **Ukraine**; and the Interim Opinion on the institutional aspects of the Draft Law on special procedures concerning reconciliation in the economic and financial fields of **Tunisia**;
- Was informed on the upcoming meeting of the **Bureau of the World Conference on Constitutional Justice**;
- Was informed on co-operation with the countries of **Central Asia**;
- Was informed on co-operation with Tunisia;
- Was informed on developments concerning the Constitutional Courts of **Bosnia and Herzegovina, Croatia, Slovakia** and Turkey and decided to make a public **declaration in support of Constitutional Courts and constitutional justice**;
- Following the proposal made by the Chair of the Scientific Council to the Enlarged Bureau, decided that the **composition of the Scientific Council for the next two years** will be as follows:
 - Chair of the Scientific Council:
Mr J. Helgesen (Norway)
 - Vice-Chair of the Scientific Council:
Mr O. Can (Turkey)
 - Members:
Mr G. Buquicchio (Italy), President of the Commission;
Ms H. Suchocka (Poland), First Vice-President;
Mr C. Grabenwarter (Austria) and Ms H. Kjerulf Thorgeirsdottir (Iceland), Vice-Presidents;
Mr B. Vermeulen (Netherlands) (Chair of the Sub-Commission on Fundamental Rights);
Ms R. Kiener (Switzerland) (Chair of the Sub-Commission on Federal and Regional State);
Ms V. Bilkova (Czech Republic) (Chair of the Sub-Commission on International Law);
Mr J. Velaers (Belgium) (Chair of the Sub-Commission on Protection of Minorities);
Mr N. Esanu (Republic of Moldova) (Chair of the Sub-Commission on Judiciary);
Mr M. Frenco (Malta) (Chair of the Sub-Commission on Democratic Institutions);
Mr R. Clayton (United Kingdom) (Chair of the Sub-Commission on Working methods);
Mr J.J. Romero (Chile) (Chair of the Sub-Commission on Latin America);
Mr G. Jeribi (Tunisia) (Chair of the Sub-Commission on Mediterranean Basin);
Mr K. Tuori (Finland) (Chair of the Sub-Commission on the Rule of law)
Ms L. Err (Luxembourg) (Chair of the Sub-Commission on Gender Equality)
Mr E. Tanchev (Bulgaria) (Co-Chair of the Joint Council on Constitutional Justice);
Mr O. Kask (Estonia) Vice-President of the Council for Democratic Elections;
Ms T. Khabrieva (Russian Federation).
- Was informed of a future conference on the topic of **Constitutional monitoring**;
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** on 10 March 2016;

- Held an exchange of views with representatives of the **Committee of Ministers**, of the **Parliamentary Assembly** and the **Congress of Local and Regional Authorities of the Council of Europe**;
- Confirmed the dates of the **next Plenary Sessions** as follows: 10-11 June 2016; 14-15 October 2016; 9-10 December 2016.