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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

107th PLENARY SESSION
(Venice, 10-11 June 2016)

SYNOPSIS

The Commission

- Held an exchange of views with Ms Arpine Hovhannisyan, Minister of Justice of **Armenia**, endorsed the preliminary joint opinion by the Venice Commission and the OSCE/ODIHR on the draft electoral code of Armenia as of 18 April 2016, previously endorsed by the Council for Democratic Elections on 9 June 2016 and, upon the Minister's request and in the light of the urgency, authorised the rapporteurs to prepare an opinion on the amendments to the Electoral Code adopted after the publication of the preliminary opinion and to send it to the Armenian authorities prior to the October Plenary Session;
- Held an exchange of views with Ms Tea Tsulukiani, Minister of Justice of **Georgia**, with Mr Levan Bodzashvili, Representative of the President, and with Mr George Papuashvili, President of the Constitutional Court, and endorsed the preliminary opinion on the Amendments to the Organic Law on the Constitutional Court of Georgia and on the Law on Constitutional Legal Proceedings of Georgia;
- Held an exchange of views with Mr Kairat Mami, President of the Supreme Court and adopted the opinion on the draft code on Judicial Ethics of **Kazakhstan**;
- Held an exchange of views with Mr Sergiu Sirbu, Member of the Legal Committee for Appointments and Immunities, Parliament of the **Republic of Moldova**, and with Mr Iurie Ciocan, President of the Central Electoral Commission, and adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft Amendments to the Electoral Code of the Republic of Moldova, previously adopted by the Council for Democratic Elections on 9 June 2016;
- Adopted the *amicus curiae* brief for the Constitutional Court of the Republic of Moldova on the right to recourse action by the State against judges;
- Held an exchange of views with Mr Aleksander Stępkowski, Undersecretary of State, Ministry of Foreign Affairs, and adopted the opinion on the draft Amendments to the Law on the Police and other Laws of **Poland**, previously examined by the Sub Commission on Fundamental Rights on 9 June 2016;
- Held an exchange of views with Mr Andrey Klishas, Chair of the Committee on Constitutional Legislation and State Construction of the Federation Council of **the Russian Federation** and with Mr Dmitry Vyatkin, Deputy Chairman of the Committee of the State Duma on Constitutional Legislation and State-building, and adopted the Final opinion on the Amendments to the Federal Constitutional Law on the Constitutional Court of the Russian Federation;
- Held an exchange of views with Mr Andrey Klishas, Chair of the Committee on Constitutional Legislation and State Construction of the Federation Council of the Russian Federation and with Mr Dmitry Vyatkin, Deputy Chairman of the Committee of the State Duma on Constitutional Legislation and State-building, and adopted the Opinion on the Law "on undesirable activities of foreign and international organisations" of the Russian Federation;
- Held an exchange of views with Mr Suat Hayri Aka, Deputy Undersecretary, Ministry of Transport, Maritime Affairs and Communications and adopted the opinion on the Law of **Turkey** on regulation of publications on the Internet and combating crimes committed by means of such publication, previously examined by the Sub Commission on Fundamental Rights on 9 June 2016;

- Held an exchange of views with Mr Basri Bağcı, Deputy Undersecretary, Ministry of Justice, and adopted the opinion on the Legal Framework for curfews in Turkey, previously examined by the Sub Commission on Fundamental Rights on 9 June 2016;
- Adopted the opinion on the Amendments to the Law of **Ukraine** on election of people's deputies regarding the exclusion of candidates from party lists, previously adopted by the Council for Democratic Elections on 9 June 2016;
- Was informed on the results and conclusions of the Conference on "Elections in Ukraine in the context of European democratic standards" which took place in Kyiv on 26-27 May 2016;
- Was informed on the request for an amicus curiae brief for the Constitutional Court of **Bosnia and Herzegovina** (BiH) and, in the light of the urgency of the matter, authorised the rapporteurs to send a preliminary brief to the authorities prior to the October session;
- Was informed on follow-up to: the Opinion on the proposed amendments to the Constitution of Ukraine regarding the judiciary, as approved by the Constitutional Commission on 4 September 2015; the Opinion on Amendments to the Act of 25 June 2015 on the Constitutional Tribunal of Poland; the Opinion on the draft act to amend and supplement the Constitution (in the field of the Judiciary) of the Republic of **Bulgaria**; the Joint Opinion on Amendments to the Election Code of Georgia as of 8 January 2016; the Final Opinion on the Law on Government Cleansing (Lustration Law) of Ukraine as would result from the amendments submitted to the Verkhovna Rada on 21 April 2015; the Joint Interim Opinion on the draft law amending the Law on Non-commercial Organisations and other Legislative Acts of the **Kyrgyz Republic**;
- Took note of the Secretariat Memorandum on the compliance of the revised draft law on amendments to the Law on Minority Rights and Freedom of **Montenegro** with the Venice Commission's opinion on the draft law on amendments to the Law on Minority Rights and Freedoms of Montenegro;
- Elected Mr Kaarlo Tuori, member in respect of Finland and Chair of the Sub Commission on the Rule of Law, as **First Vice-President of the Commission**, replacing Ms Hanna Suchocka (Poland), whose mandate has not been renewed;
- Took note that Mr Wolfgang Hoffmann-Riem, deputy Chair of the Sub Commission on the Rule of Law, therefore became Chair of that Sub-Commission;
- Elected Ms Hanna Suchocka, former member in respect of Poland, as Honorary President of the Venice Commission;
- Was informed on co-operation with **Tunisia**;
- Was informed on constitutional developments in **Algeria**, Georgia, **Italy** and Turkey;
- Was informed on developments concerning the Constitutional Court of **Croatia**;
- Was informed of a future conference on the topic of **Constitutional Monitoring**;
- Held an exchange of views with Mr Roberto Caldas, President of the **Inter-American Court of Human Rights** and encouraged its member States to provide support for the Inter-American system of human rights' protection which is currently facing financial difficulties;
- Was informed on the results and conclusions of the meeting of the **Joint Council on Constitutional Justice** on 7-8 June 2016;

- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections** on 9 June 2016;
- Was informed on the results and conclusions of the meeting of the **Scientific Council** on 9 June 2016 and endorsed the **compilations** of Venice Commission opinions and reports concerning **gender equality** and **media and elections**;
- Was informed on progress in the preparation of the **International Conference on “Global Constitutional Discourse and Transnational Constitutional Activity”** organised by the Venice Commission in co-operation with IACL and International Idea, which will take place in Venice on 7 December 2016;
- Was informed on the recent publication on the Venice Commission issued by the Institute for Legislation and Comparative Law of the Russian Federation;
- Held an exchange of views with representatives of the **Committee of Ministers**, of the **Parliamentary Assembly** and the **Congress of Local and Regional Authorities**;
- Confirmed the dates of the **next Plenary Sessions** as follows: 14-15 October 2016; 9-10 December 2016 and fixed the dates for the 2017 sessions as follows: 10-11 March 2017; 9-10 June 2017; 6-7 October 2017 and 8-9 December 2017.