



Strasbourg, 11 December 2017

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Or. Engl

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

**113<sup>th</sup> PLENARY SESSION**  
**(Venice, 8-9 December 2017)**

**SYNOPSIS**

## The Commission

- Paid tribute to the late Ambassador of San Marino, Mr Guido Bellatti-Ceccoli;
- Adopted the joint opinion by the Venice Commission and the OSCE/ODIHR on the draft constitutional law on referendums of **Armenia**, previously adopted by the Council for Democratic Elections on 7 December 2017;
- Held an exchange of views with Mr Eduard Serbenco, State Secretary in the Ministry of Justice of the **Republic of Moldova**, and adopted:
  - o the joint opinion by the Venice Commission and the OSCE/ODIHR on the Legal framework of the Republic of Moldova governing the funding of political parties and electoral campaigns, previously adopted by the Council for Democratic Elections on 7 December 2017; and
  - o the opinion on draft amendments to Article 37 of the Law of the Republic of Moldova on the People's Advocate – "Financial provisions";
- Held an exchange of views with Ambassador Janusz Stańczyk, Permanent Representative of **Poland** to the Council of Europe, and adopted:
  - o the opinion on the Law of Poland on the Organisation of Ordinary Courts and on two draft laws amending the Law on the National Council of the Judiciary and the law on the Supreme Court of Poland, previously examined by the Sub-Commission on the Judiciary on 7 December 2017; and
  - o the opinion on the amended law of Poland on the Prosecution Service, previously examined by the Sub-Commission on the Judiciary on 7 December 2017;
- Held an exchange of views with Mr Zulfi Adili, State Secretary in the Ministry of Justice of "**the former Yugoslav Republic of Macedonia**", and adopted the opinion on three draft laws of "the former Yugoslav Republic of Macedonia" on the abolition of the Council for the Establishment of Facts, on amendments to the law on the Judicial Council and on amendments to the law on Witness protection;
- Held an exchange of views with Ms Lilia Hrynevych, Minister of Education and Science of **Ukraine**, and adopted the opinion on provisions of the new Law on Education of Ukraine on the language of education, previously examined by the Sub-Commission on the Protection of Minorities on 7 December 2017;
- Adopted the report on **Constituency delineation and seat allocation**, previously adopted by the Council for Democratic Elections on 7 December 2017;
- Adopted the **questionnaire on referendums**, previously adopted by the Council for Democratic Elections on 7 December 2017;
- Was informed on **follow-up** to: the Opinion on Article XXV of 4 April 2017 on the Amendment of Act CCIV of 2011 on National Tertiary Education of **Hungary**; to the Opinion on the draft revised Constitution of **Georgia** as adopted by the Parliament of Georgia at the second reading on 23 June 2017; the *Amicus Curiae* Brief for the Constitutional Court of **Albania** on the Law on the Transitional Re-evaluation of Judges and Prosecutors (The Vetting Law); the Opinion on articles 216, 299, 301 and 314 of the Penal Code of **Turkey**; the Opinion on questions relating to the appointment of judges of the Constitutional Court in

the **Slovak Republic**; and the Opinion on the Law on the People's Advocate (Ombudsman) of the Republic of Moldova;

- Was informed on recent constitutional developments in **Japan**, in **Romania** and in **Spain**;
- Was informed on perspectives of co-operation with **Mexico**;
- Held an exchange of views with Mr Marin Mrčela, President of the **Group of States against Corruption (GRECO)** on continued co-operation;
- Following the proposals made by the Committee of Wise Persons, **elected for a term of two years**:

Mr G. Buquicchio (Italy) as President;  
Ms H. Kjerulf Thorgeirsdottir (Iceland) as First Vice-President;  
Ms V. Bílková (Czech Republic) and Mr M. Frendo (Malta) as Vice-Presidents;  
Ms C. Bazy-Malaurie (France), Mr J. M. Castella Andreu (Spain), Mr I-W. Kang (Republic of Korea) and Ms T. Khabrieva (Russian Federation), as members of the Bureau;

The Chairs of the Sub Commissions and Councils as follows:

Mr J. Helgesen (Norway) (Scientific Council)  
Mr B. Vermeulen (Netherlands) (Fundamental Rights);  
Ms R. Kiener (Switzerland) (Federal State and Regional State);  
Mr I. Cameron (Sweden) (International Law);  
Mr J. Velaers (Belgium) (Protection of Minorities);  
Mr R. Barrett (Ireland) (Judiciary);  
Mr K. Tuori (Finland) (Democratic Institutions);  
Mr R. Clayton (United Kingdom) (Working methods);  
Mr J.L. Sardon (Peru) (Latin America);  
Mr G. Jeribi (Tunisia) (Mediterranean Basin);  
Mr W. Hoffmann-Riem (Germany) (Rule of Law);  
Ms L. Err (Luxembourg) (Gender Equality);  
Mr C. Grabenwarter (Austria) (Constitutional Justice\*);

The President of the Council for Democratic Elections<sup>†</sup>: Mr O. Kask (Estonia);

The Vice-Chairs of the Sub Commissions and Councils (without representation on the Enlarged Bureau) as follows:

Mr O. Can (Turkey) (Scientific Council);  
Mr P. Dimitrov (Bulgaria) (Fundamental Rights);  
Ms S. Cleveland (United States of America) (Federal State and Regional State);  
Mr A. Varga (Hungary) (International Law);  
Mr A. Endziņš (Latvia) (Protection of Minorities);  
Ms J. Omejec (Croatia) (Judiciary);  
Mr D. Meridor (Israel) (Democratic Institutions);  
Mr P. Vilanova Trias (Andorra) (Working methods);  
Ms J. Otálora Malassis (Mexico) (Latin America);  
Mr M. Medelci (Algeria) (Mediterranean Basin);

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\* Also Co-Chair of the Joint Council on Constitutional Justice. The other Co-Chair is elected by the liaison officers.

† The Vice-President will be elected by the Council from among the representatives of the Assembly and the Congress.

Mr S. Holovaty (Ukraine) (Rule of Law);  
Ms A. Anastas (Albania) (Gender Equality)  
Mr Z.M. Knežević (Bosnia and Herzegovina) (Constitutional Justice);

- Was informed on the results and conclusions of the UniDem-Med Seminar (Algiers, 7-8 November 2017); the World Forum for Democracy 2017 (Strasbourg, 8-10 November 2017); the Regional Conference on “Misuse of Administrative Resources during Electoral Processes: a Major Challenge for Democratic Elections” (London, 9-10 November 2017); and the VII International Congress of Comparative Law “the national and the universal in law: from traditions to postmodernism” (Moscow, 1-2 December 2017);
- Was informed on the results and conclusions of the meeting of the **Council for Democratic Elections**, held on 7 December 2017;
- Was informed on the results and conclusions of the joint meeting of the Sub-commission on **Working Methods and of the Scientific Council**, held on 7 December 2017;
- Was informed that the **compilation on constitutional justice** had been updated;
- Was informed on the activities of the **Association of former Venice Commission members and substitute members**;
- 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;
- Confirmed the dates of the **next Plenary Sessions** as follows: 16-17 March 2018; 22-23 June 2018; 19-20 October 2018 and 14-15 December 2018.