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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

118th PLENARY SESSION
(Venice, 15-16 March 2019)

SYNOPSIS

The Commission

- Held a minute of silence in memory of Mr Mourad Medelci, Member of the Venice Commission in respect of Algeria;
- Held an exchange of views with Ms Natia Mezvrishvili, Deputy Minister of Internal Affairs and with Ms Irine Tsakadze, Head of the Legal Department, Ministry of Justice of **Georgia**, and adopted the Opinion on the Concept paper on amendments to the Criminal Procedure Code of Georgia concerning the relationship between the prosecution and the police;
- Held an exchange of views with Mr László Trócsányi, Minister of Justice of **Hungary**, and adopted the Opinion on the Hungarian laws on Administrative Courts and on the entry into force of the Law on Administrative Courts and certain transitional rules, previously examined by the Sub-Commission on the Judiciary on 14 March 2019;
- Held an exchange of views with Mr Henri Kox, MP, Member of the Committee on Institutions and Constitutional Review of **Luxembourg**, and adopted the Opinion on the proposed revision of the Constitution of Luxembourg, previously examined by the Sub-Commission on Democratic Institutions on 14 March 2019;
- Held an exchange of views with Ms Renata Deskoska, Minister of Justice of **North Macedonia**, and adopted the Opinion on Draft Law on the Judicial Council;
- Adopted the *amicus curiae* brief on separate appeals against rulings on preventive measures (deprivation of liberty) of first instance courts of **Ukraine**;
- Held an exchange of views with Mr Peter Tyndall (International Ombudsman Institute - IOI), Ms Catherine De Bruecker (Association of Mediators and Ombudsman of the Francophonie - AOMF), Mr Andreas Potakis (Association of Mediterranean Ombudsmen - AOM), Ms Carmen Comas-Mata Mira (Iberoamerican Federation of Ombudsman - FIO), Mr Vladen Stefanov (Office of the United Nations High Commissioner for Human Rights), as well as with Ms Krista Oinonen, Chair of the CDDH Drafting Group on Civil Society and National Human Rights Institutions (CDDH-INST) and adopted the **Principles on the protection and promotion of the Ombudsman Institution (“the Venice Principles”)**, previously examined by the Sub-Commission on Fundamental Rights on 14 March 2019;
- Held an exchange of views with Mr Francisco Guerrero, Secretary for Strengthening Democracy, Organization of American States, and adopted the Report on **term limits: Part II - Members of Parliament and Part III - Representatives elected at sub-national and local level and executive officials elected at sub-national and local level**, previously examined by the Sub-Commission on Latin America on 30 November 2018;
- Adopted the Report on **Funding of Associations**, previously examined by the Sub-Commission on Fundamental Rights on 14 March 2019
- Was informed on **follow up** to the:
 - Opinion on draft constitutional amendments of **Albania** enabling the vetting of politicians;

- Joint Opinion on the Provisions of the so-called “Stop Soros” draft Legislative Package of Hungary which directly affect NGOs (in particular Draft Article 353A of the Criminal Code on Facilitating Illegal Migration);
- Opinion on the Draft Law of Ukraine on Anticorruption Courts and on the Draft Law of Ukraine on Amendments to the Law on the Judicial System and the Status of Judges (concerning the introduction of mandatory specialisation of judges on the consideration of corruption and corruption-related offences);
- Opinion on the Concept Paper on the reform of the High Judicial Council of **Kazakhstan**;
- Joint opinion on the draft election code of **Uzbekistan**;
- endorsed the Compilation of Venice Commission opinions and reports concerning **electoral systems**;
- Adopted the **annual report of activities 2018**;
- Authorised the rapporteurs to prepare **urgent opinions** on the draft law on the procedures and criteria for selection and nomination of Supreme Court judges of Georgia and on the draft law on the Advisory Council on Sustainable Development of **Tunisia** and to convey them to the requesting authorities prior to the June 2019 Plenary Session;
- Held an exchange of views with Mr Lorenzo Córdova Vianello, President of the National Electoral Institute of **Mexico**, and signed a Memorandum of Understanding with INE;
- Was informed on recent constitutional developments in Ukraine;
- Decided to ask the Enlarged Bureau to examine the issue of whether or not separate opinions should be appended to Venice Commission opinions;
- Was informed by Ms Liliane Maury Pasquier, President of Parliamentary Assembly of the Council of Europe, and by the President of the Venice Commission on the results and conclusions of the meeting of the Enlarged Bureau with the **Presidential Committee of the Parliamentary Assembly**, held on 16 March 2019;
- Was informed on the results and conclusions of the meeting of the **Bureau of the World Conference on Constitutional Justice** (Santo Domingo, 8 February 2019);
- Was informed on the results and conclusions of the meeting of the **Sub-Commission on Democratic Institutions** (14 March 2019) in particular on progress of work on the **preliminary draft Parameters on the relationship between the parliamentary majority and the opposition in a democracy: a checklist** ; members were invited to provide comments on the preliminary draft Parameters by 30 April 2019 and on the draft Guidelines on Freedom of Assembly by 29 March 2019;
- Held an exchange of views with the representatives of the **Committee of Ministers** and the **Congress of Local and Regional Authorities** of the Council of Europe;
- Confirmed the dates of the **next Plenary Sessions** as follows: 21-22 June 2019; 11-12 October 2019 and 6-7 December 2019. The dates for the Sessions of 2020 will be communicated shortly.