



Strasbourg, 22 June 2020

CDL-PL-PV(2020)002syn
Or. Engl

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

123rd PLENARY SESSION

SYNOPSIS

Due to the Covid-19 epidemic, the Commission could not hold its 123rd Plenary Session in Venice. The session was replaced by a written procedure.¹

The Commission:

- Endorsed the urgent Joint Opinion ([CDL-AD\(2020\)017](#)) by the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on amendments to the Law on Common Courts, the Law on the Supreme Court and some other Laws of **Poland**, with one vote against (Mr A. Varga);
- Endorsed the urgent Joint Opinion ([CDL-AD\(2020\)015](#)) by the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the draft Law on amending Law No. 947/1996 on the Superior Council of Magistracy of the **Republic of Moldova**;
- Adopted the Opinion ([CDL-AD\(2020\)013](#)) on draft amendments to Law N° 97/2013 on the Audiovisual Media Service in **Albania**;
- Adopted the Opinion ([CDL-AD\(2020\)010](#)) on the appointment of members of the Constitutional Court of Albania;
- Adopted the *amicus curiae* Brief ([CDL-AD\(2020\)005](#)) for the Constitutional Court of **Armenia** relating to Article 300.1 of the Criminal Code of Armenia;
- Adopted the Opinion ([CDL-AD\(2020\)016](#)) on three questions in the context of constitutional amendments concerning the judges of the Constitutional Court of Armenia;
- Adopted the Opinion ([CDL-AD\(2020\)008](#)) on certain provisions of the draft Criminal Procedure Code of **Kosovo**, namely trial in absentia (Art. 306) and suspension of officials from office (Art. 177);
- Adopted the Opinion ([CDL-AD\(2020\)012](#)) on recent amendments to legislation on education in minority languages in **Latvia**;
- Adopted the Opinion ([CDL-AD\(2020\)006](#)) on Proposed Legislative Changes in **Malta**;
- Adopted the Joint Opinion ([CDL-AD\(2020\)007](#)) by the Venice Commission and the Directorate General of Human Rights and Rule of Law (DGI) of the Council of Europe on the revised draft Law on amending and supplementing the constitution with respect to the Superior Council of Magistracy of the Republic of Moldova;
- Adopted the Opinion ([CDL-AD\(2020\)009](#)) on the Draft amendments to the Constitution (as signed by the President of the **Russian Federation** on 14 March 2020) related to the execution in the Russian Federation of decisions by the European Court of Human Rights;
- Adopted the Opinion ([CDL-AD\(2020\)011](#)) on the replacement of elected candidates and mayors in **Turkey**;
- Endorsed the **Compilation on states of emergency** ([CDL-PI\(2020\)003](#));
- Took note of the report ([CDL-AD\(2020\)014](#): "**Respect for democracy, human rights and the rule of law during states of emergency – reflections**", and decided to prepare an update of the 1995 Study on emergency powers;

¹ Pursuant to Article 13.1 of the Commission's Rules of Procedure, national members do not take part in the vote on opinions specifically related to the state having appointed them or of which they are citizens.

- Was informed in writing on **follow up** to the:
 - Opinion on the draft law on the finalisation of transitional ownership processes in Albania;
 - Urgent Opinion on the selection and appointment of Supreme Court judges in **Georgia**;
 - Joint Opinion on the draft law on amending and supplementing the Constitution with respect to the Superior Council of Magistracy of the Republic of Moldova;
 - *Amicus Curiae* Brief for the Constitutional Court of the Republic of Moldova on the amendments to the Law on the Prosecutor's Office in the Republic of Moldova;
 - *Amicus Curiae* brief for the Constitutional Court of the Republic of Moldova on the criminal liability of constitutional court judges in the Republic of Moldova;
 - Opinion on Emergency Ordinances GEO N° 7 and GEO N° 12 amending the Laws of Justice and the Opinion on draft amendments to Law No. 303/2004 on the Statute of Judges and Prosecutors, Law No. 304/2004 on Judicial Organisation, and Law No. 317/2004 on the Superior Council for Magistracy of **Romania**;

- Was informed of the signature, on 6 and 9 June, of a **co-operation agreement** between the Venice Commission and the **Organisation of American States**;

- Was informed of the dates of the next Plenary Sessions as follows:
 - 124th Plenary Session 8-9 October 2020;
 - 125th Plenary Session 11-12 December 2020;
 - 126th Plenary Session 19-20 March 2021;
 - 127th Plenary Session 18-19 June 2021;
 - 128th Plenary Session 15-16 October 2021;
 - 129th Plenary Session 10-11 December 2021.

- that the Ceremony of celebration of the Commission's Thirtieth Anniversary which was planned for 8 October 2020 in Palazzo Ducale has been cancelled, but the anniversary will be marked in the course of the Plenary Session on 8-9 October 2020