



COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE

Strasbourg, 7 December 2004

Restricted  
**CDL-PV(2004)004syn**  
Or. Fr.

## EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**61<sup>th</sup> PLENARY SESSION**  
**(Venice, 3-4 December 2004)**

### SYNOPSIS

The Commission

- held an exchange of views with Ambassador Alan Streimann, Permanent Representative of Estonia to the Council of Europe and with Ambassador Daryal Batibay, Permanent Representative of Turkey to the Council of Europe on co-operation between the **Committee of Ministers** and the Venice Commission;
- held an exchange of views with Mr Jurgens, Member of the Committee on Legal Affairs and Human Rights on co-operation with the **Parliamentary Assembly**;
- was informed about the follow-up to earlier Venice Commission opinions, and more precisely about the adoption of the Rules of Procedure of the Constitutional Court of Azerbaijan and developments concerning the adoption of an Ombudsman law in Bosnia and Herzegovina;
- adopted the interim opinion on constitutional reform in **Armenia**;
- adopted the joint opinion of the Venice Commission and OSCE/ODIHR on the draft amendments to the electoral Code of **Armenia**;
- was informed of the visit of a delegation to **Bosnia and Herzegovina** in the framework of the opinion to be provided following Resolution 1384 of the Parliamentary Assembly of the Council of Europe;
- endorsed the comments by Messrs Van Dijk and Hamilton on a proposal for a constitutional law on changes and amendments to the Constitution of **Georgia** prepared by the Liberty Institute and instructed the Secretariat to prepare a joint opinion with OSCE/ODIHR;
- was informed about recent developments concerning South Ossetia;

- was informed about progress in the preparation, at the request of the Parliamentary Assembly, of the opinion on the compatibility of the **Italian** laws on the media (“the Gasparri law”) and on conflict of interest (“the Frattini law”) with the standards of the Council of Europe and in particular the case-law of the European Court of Human Rights;
- adopted the opinion on the draft Law to modify and complete the Constitution of **Moldova** introducing the individual complaint to the Constitutional Court;
- adopted the opinion on the law on local elections in **Romania**;
- adopted the opinion on the draft law Amending the Federal Law “On general principles governing the organisation of legislative (representative) and executive state authorities of constituent entities of the **Russian Federation**”;
- adopted the opinion on the draft Law on the Ombudsman of **Serbia** and was informed of the visit of a delegation to **Montenegro** in the framework of the process of constitutional reform;
- was informed about the request from the Congress of Local and Regional Authorities of the Council of Europe for an opinion on the draft National Strategy on the Reform of the Territorial Organisation System in **Ukraine** and about participation in the observation of the presidential elections in **Ukraine**, on the basis of the co-operation agreement with the Parliamentary Assembly;
- examined the comments by Mr Luchaire and Ms Suchocka on **Recommendation** 1676 (2004) of the **Parliamentary Assembly** on women’s participation in elections and instructed the Secretariat to prepare a consolidated opinion in co-operation with the reporting members;
- adopted amendments to the Rules of Procedure;
- was informed on the results and conclusions of the meeting of the UniDem Governing Board;
- was informed on the results and conclusions of the meetings of the Council for Democratic Elections ;
- adopted two reports on **restrictions on the right to vote** and decided to forward them to the Parliamentary Assembly;
- held an exchanges of views with representatives from Japan, South Korea and Mexico (Observer states) on recent constitutional developments in their countries;
- confirmed the dates of its next Plenary session 11-12 March 2005.