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

**82<sup>nd</sup> PLENARY SESSION**  
**(Venice, 12-13 March 2010)**

**SYNOPSIS**

## The Commission

- welcomed the appointment of Mr Thomas Markert as **Secretary of the Venice Commission**;
- held an exchange of views with Mr Kamran Bayramov, Senior Adviser at the Presidential Administration, took note of the rapporteurs' comments on the draft law on normative legal Acts of **Azerbaijan**, and instructed the secretariat to prepare an opinion on the basis of these comments;
- held an exchange of views with Ms Margarita Popova, Minister of Justice of **Bulgaria**, and adopted the interim opinion on the draft Act on Forfeiture in favour of the State of Illegally acquired assets of Bulgaria;
- adopted the opinion on the draft constitutional law on changes and amendments to the constitution of **Georgia** (Chapter VII, Local self-government);
- held an exchange of views with Mr Akaki Minashvili, Chairman of the Foreign Relations Committee, Parliament of Georgia, and adopted the interim opinion on the draft amendments to the law on assembly and demonstrations of Georgia;
- decided, in respect of PACE Recommendation 1897 (2010) relating to the Venice Commission's 2005 opinion on the compatibility of the laws "Gasparri" and "Frattini" of **Italy** with the Council of Europe standards in the field of freedom of expression and pluralism of the media, to ask the Italian authorities for information on possible legislative developments in that field;
- adopted the *Amicus curiae* brief for the Constitutional Court of **Moldova** on the interpretation of articles 78.5 and 85.3 of the Constitution of Moldova;
- was informed on the constitutional situation in Moldova and the request for co-operation on constitutional reform by the Acting President of Moldova and decided to refer to its position on constitutional reform in its press release on the *Amicus curiae* brief;
- adopted the opinion on the Draft Law on Protection from Discrimination in **Montenegro**;
- adopted the opinion on the draft law on referendum and civil initiative of **Serbia**, previously adopted by the Council for Democratic Elections;
- was informed on follow up to the opinions on the draft law on judges and on the organisation of Courts of the Republic of Serbia and on the draft criteria and standards for the election of judges and Court Presidents of Serbia and decided to make a statement in this respect, jointly with the Consultative Council of European Judges;
- was informed on progress in the preparation of the opinion on the Act on State Language of the **Slovak Republic**;
- held an exchange of views with Mr Kaan Esener, Minister Plenipotentiary, Deputy Director for the Council of Europe and Human Rights, Ministry of Foreign Affairs of **Turkey**, and adopted the opinion on the legal status of religious communities in Turkey and the right of the Orthodox Patriarchate of Istanbul to use the adjective "ecumenical";
- was informed on the constitutional reform process in Turkey;

- adopted the opinion on the draft law on the judicial system and status of judges of **Ukraine**;
- adopted the report on European standards as regards the **independence of judges**;
- was informed of the election of Mr Andreas Gross as **President of the Council for Democratic Elections** and Mr Jean-Claude Colliard as Vice-President;
- adopted the report on **restrictions on access to Parliament and thresholds**, previously adopted by the Council for Democratic Elections;
- adopted the Venice Commission's comments in view of the reply by the Committee of Ministers to **Parliamentary Assembly Recommendation 1898(2010)** on thresholds and other features of electoral systems which have an impact on representativity of parliaments in Council of Europe member states, previously adopted by the Council for Democratic Elections;
- adopted the Venice Commission's comments in view of the reply by the Committee of Ministers to **Parliamentary Assembly Recommendation 1899(2010)** on increasing women's representation in politics through the electoral system, previously adopted by the Council for Democratic Elections;
- was informed on follow-up to: the *amicus curiae* brief on the Law on "the cleanliness of the figure of high functionaries of the Public Administration and Elected Persons of **Albania**"; the *amicus curiae* brief in the cases of Sejdić and Finci v. **Bosnia and Herzegovina**, in which the European Court of Human Rights gave a judgment in December 2009; the opinion on the draft amendments to the Law on Occupied Territories of **Georgia**; the joint opinion by the Venice Commission and OSCE/ODIHR on the draft law on Assemblies of the **Kyrgyz Republic**; the joint opinion on the law on amending some legislative Acts on the election of the President of Ukraine, adopted by the Verkhovna Rada of **Ukraine** on 24 July 2009;
- was informed on constitutional developments in **Kyrgyzstan**;
- was informed on possible assistance to the Constitutional Commission of **Nepal**;
- was informed on the on-going constitutional reform in **Sweden**;
- was informed by Mr Jakhongir Khaydarov, Director of the Research Centre on Democratisation and Liberalisation of the Supreme Court of the Republic of **Uzbekistan**, about co-operation between that country and the Venice Commission;
- was informed about the establishment of the **Conference of Constitutional Jurisdictions using the Portuguese language**;
- adopted its **annual report of activities in 2009**;
- was informed on progress in the reflection of the Commission's working methods and the role of the Scientific Council;
- 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;

- was informed of progress in the preparation of the celebration of the Commission's 20<sup>th</sup> anniversary on 5 June 2010;
- fixed the dates of the next sessions as follows: 4 June 2010; 15-16 October 2010; 17-18 December 2010.