



Strasbourg, le 24 novembre 2004

CDL-UD(2004)028syn
Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in the framework of
THE POLISH CHAIRMANSHIP OF THE COMMITTEE OF MINISTERS
OF THE COUNCIL OF EUROPE

in cooperation with
THE INSTITUTE FOR DEMOCRACY – FRANCE
and
THE IUS ET LEX FOUNDATION - POLAND

UNIDEM SEMINAR

“EVALUATION OF FIFTEEN YEARS OF
CONSTITUTIONAL PRACTICE IN CENTRAL
AND EASTERN EUROPE”

Warsaw, 19-20 November 2004

SYNOPSIS

The Venice Commission organised a seminar on: "Evaluation of fifteen years of constitutional practice in Central and Eastern Europe" in Warsaw, on 19-20 November 2004, in the framework of its UniDem Programme. It was organised in cooperation with the Institute for Democracy (France) and the Foundation Ius et Lex (Poland), and was the first multilateral event in the framework of the Polish Chairmanship of the Committee of Ministers of the Council of Europe.

The seminar was organised to take stock of the democratic transition of Central and Eastern European countries and to draw lessons for the future. Debates were based on three main topics: the President of the Republic, constitutional reform and electoral systems.

Presentations and debates more particularly focused on: developments over fifteen years of constitutional practice, in different member states and from a comparative perspective; position and role of the President of the Republic; relations between executive and legislative powers; role of constitutional case-law in the process of constitutional reform; electoral systems and party systems in Central and Eastern Europe. Finally, a transversal topic was studied, regarding the assistance of European institutions to Central and Eastern European countries, particularly that from the Venice Commission.

The Venice Commission invited the following speakers: Ms Hanna SUCHOCKA (former Prime Minister of Poland, Ambassador of Poland to the Holy See), Mr Mark ENTIN (Professor at the Moscow State Institute of International Relations, MGIMO University) and Mr Florian GROTZ (Assistant Professor at the Free University of Berlin).

Around 50 participants took part in this seminar, among them judges of constitutional courts, members of central electoral commissions and professors of law from Central and Eastern European countries. Ms Hanna SUCHOCKA and Mr Marek SAFJAN, Chairman of the Constitutional Court, among others chaired working sessions.

The seminar led to a positive evaluation of democratic practice during the transition period of Central and Eastern European countries, even if some progress remains to be accomplished. Mr BUQUICCHIO, Secretary of the Venice Commission, recalled in conclusion of the seminar that the Venice Commission remains, as it has been since 1990, at the disposal of Central and Eastern European countries to accompany them in the pursuit of their constitutional and legislative reforms.