

Speaking notes for Steward DICKSON, (United Kingdom, ILDG)

111th Plenary Session of the Venice Commission of the Council of Europe

(16-17 June 2017)

Dear President, dear members of the Venice Commission,

It is a pleasure for me to update you today on the Congress recent activities of interest to the Venice Commission and I would like to thank you for this opportunity.

The Chair of the Monitoring Committee, Leen Verbeek is currently participating at the Bureau meeting of the Congress that is why he could not attend today which he regrets very much. So he asked me to present the Congress activities which could be of interest for you.

First of all, I would like to briefly inform you about the monitoring activities of the Congress that have taken place since last March.

The Monitoring committee has carried out monitoring visits to Italy, Andorra, Monaco and Liechtenstein. The visits to San Marino, Lithuania, Latvia and Azerbaijan are scheduled till the end of 2017.

By coincidence, this year we have focused on monitoring countries with small surface area. The monitoring visits went very well and helped us to observe what impact this specific territorial factor may have on the organization of local democracy and application of the Charter. We plan to dedicate the monitoring part of the plenary session of the Congress in March 2018 to the situation of local democracy in the Council of Europe member states with small surface area.

During the monitoring visits, we also identified other specific issues of interest to the Venice Commission. For instance, the situation of provinces in Italy was drawn to our attention. We received a complaint from the Union of Italian Provinces questioning the conformity of the Italian legislation on provincial governance with the Italian Constitution and raising the issue of applicability of the Charter in the national legislation of the country, namely in view of Italian Constitution Court decision n°50/2015. We will discuss this complaint at the next meeting of the Monitoring Committee to be held on 27 June in Kharkiv (Ukraine) that may decide to request your Commission's opinion on the constitutionality of the Italian regulation on provinces.

Another important point on the agenda of the Monitoring Committee in Kharkiv will be a report on fact-finding mission to Belgium carried out last February in order to clarify the functioning of local democracy structures in a context of linguistic diversity in the communes "with facilities" in the Flemish region around Brussels. I must say that the contentious matter of the interpretation and application of the language laws in municipalities with so-called special language arrangements is a recurring issue for the Congress as it may interfere with local good governance.

Further, the Congress is in process of discussion with national authorities to launch a post-monitoring dialogue with Greece which is now considering the possibility to hold a constitutional reform affecting also local self-government.

As regards our cooperation in the electoral area, we would like to thank you for the Opinion on the Congress' Checklist for compliance with international standards and best practices preventing misuse of administrative resources during electoral processes at local and regional level. We will take it into account when publishing the Checklist.

Since March 2017, the Congress has observed local elections in Finland and in the City of Yerevan in Armenia (14 May 2017). It positively assessed the elections in Finland but raised some matters of concern in Armenia, such as allegations of pressure on voters, vote-buying and misuse of administrative resources, as already pointed out by your Commission.

Last month, the Congress carried out a post-electoral dialogue mission to Bosnia and Herzegovina further to the observation of local elections last October by the delegation of the Congress that I had an honour to chair. As you may know, no local elections have been held in the City of Mostar since 2008 and this situation is a matter of our particular concern. The extensive expertise of the Venice Commission on the Constitution and legislation of Bosnia and Herzegovina will certainly be very helpful for the Congress activities in the country.

Let me also say a word about our cooperation with Tunisia. As the Venice commission, the Congress also contributed to the new Tunisian Constitution promulgated in 2014. The Congress is now expecting the invitation to observe the first local elections to be held in Tunisia in December 2017. We also plan to organize workshops to raise voters' awareness (in particular women and young people) and share our expertise with the national authorities of Tunisia in monitoring electronic and social media.

Finally, another important area of the Congress activities is raising awareness of human rights at local and regional levels. In more concrete terms, the Congress is now preparing a human rights manual dedicated for local authorities who find themselves at the forefront of solving human rights issues. We plan to present this manual at the Congress Colloquium "Promoting a Culture of Human Rights

at Local Level” that will take place on 3 October 2017 in Middelburg (the Netherlands).

To conclude, I would like to thank you for cooperation and express the hope that it will continue on the same high level in all areas of our common interest.

Thank you for your time and attention.