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26.11.2010

Constitutional situation in Ukraine - Venice Commission's visit in the framework of the forthcoming opinion

Dates: 29-30 November 2010

Place: Kiev, Ukraine

Organised by the Venice Commission, the Council of Europe's Office in Ukraine and the Ministry of Foreign Affairs.

Description: On 30 September 2010, the Constitutional Court of Ukraine declared the Law on Amendments to the Constitution of Ukraine adopted on 8 December 2004 unconstitutional and required that laws subsequently adopted be brought in line with the 1996 Constitution.

In October 2010, the Monitoring Committee of the Parliamentary Assembly asked the Venice Commission to give its opinion:

- on the constitutional situation in Ukraine following the Constitutional Court's decision of 1 October 2010,
- on the measures to be taken to bring the new constitutional framework in line with European standards and norms.

The Venice Commission's assessment does not aim to reopen or comment on the Constitutional Court's decision, but to examine its consequences. The draft opinion on the constitutional situation in Ukraine will be discussed and should be submitted for adoption by the Commission at its plenary session on 17-18 December 2010.

In order to obtain more information on the process of bringing legislation in line with the 1996 Constitution and on the future constitutional developments in the country, a delegation of the Venice Commission will be travelling to Kiev to meet with the representatives of the Ukrainian authorities on 29-30 November 2010.

The Venice Commission delegation is composed of:

- Thomas Markert, Director, Secretary of the Venice Commission,
- Angelika Nussberger, German member,
- Evgenij Tanchev, Bulgarian member,
- Georg Papuashvili, Georgian member,
- Finola Flanagan, Irish member,
- Kaarlo Tuori, Finnish member,
- Didier Maus, expert, France,
- Dubravka Bojic, legal officer of the Venice Commission.

Meetings are planned with the Speaker of the Parliament, representatives of the Presidential Administration, Ministry of Justice, Ministry of Foreign Affairs, Constitutional Court, with the Head of the National Commission for Strengthening Democracy and representatives of the opposition.

A **press conference** will be held at the premises of the news agency "Ukrinform" at 12h00 on Tuesday 30 November 2010

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Background

The Venice Commission has been involved in the constitutional reform process in Ukraine since 1993. It has adopted several opinions on the various texts of the constitution:

- Opinion on the Draft Constitution of Ukraine as adopted by the Constitutional Commission in March 1996, (adopted by the Commission in May 1996 [CDL-INF\(1996\)020rev](#));
- Opinion on the Constitution of Ukraine as adopted in June 1996 (adopted in March 1997 [CDL-INF\(1997\)002](#));
- Opinion on three draft Laws proposing Amendments to the Constitution of Ukraine (adopted in December 2003, [CDL-AD\(2003\)019](#));
- Opinion on the procedure of amending the Constitution of Ukraine (adopted in October 2004 [CDL-AD\(2004\)030](#));
- Opinion on the amendments to the Constitution of Ukraine adopted on 8 December 2004, (adopted by the Commission in June 2005 [CDL-AD\(2005\)015](#)).