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Komitet pravnika  
za ljudska prava



Belgrade, 25 October 2018

## JOINT STATEMENT

Reaction to the Ministry of Justice's claims

Regarding the Venice Commission's positive assessment

On 24 October 2018 the Ministry of Justice [revealed](#) on its website that the Members of the Venice Commission discussed during the Commission's 116<sup>th</sup> Plenary Session the fourth Draft Constitutional Amendments of the Ministry. The Ministry's press release claimed that the Venice Commission concluded the latest version of amendments, created as a product of the harmonisation with the professional public comments, compatible with the Venice Commission's recommendations.

We are hereby informing the public that the information presented by the Ministry of Justice is false. The Venice Commission did not pass any decision regarding the compatibility of the latest version of the Constitutional amendments with the Commission's recommendations. Inaccuracy of the claims published in the Ministry's press release can be verified by accessing the original document the Ministry refers to, which is available on the website of the Commission. The document entitled "Memorandum of the Secretariat" claims that the Venice Commission Secretariat, its administrative body, provided a summary conclusion about compatibility of the latest version with the recommendations. During the 116<sup>th</sup> Plenary Session the members of the Venice Commission did not vote on the conclusion, or pass any decision, as falsely presented to the public. The members however only "took note", as stated in the translation of the official document.



Moreover, we are informing the public that the Ministry of Justice itself intentionally avoided addressing the Venice Commission for an opinion on the compatibility of the latest version of the Constitutional amendments. The Ministry deliberately addressed the administrative body of the Commission, while representing something else to the public.

We are stating that this was not the first time the Ministry of Justice has provided the public with false and incomplete information regarding important matters. Signatory organisations to this statement call upon the Ministry of Justice to inform the public accurately and timely, so that the citizens may have an opportunity to be promptly and completely informed about matters relevant to the future changes to the Constitution in the part pertaining to the judiciary.

We call upon the Ministry of Justice to send the Council of Europe's body that is the Venice Commission, the fourth version of the Constitutional amendments. We also call upon the Commission itself to herald publicly regarding the false information published nationwide.

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[Judges' Association of Serbia](#)

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