

Strasbourg, 19 January 1993
<S:CDL\CENTRE\DECISIONS.A>

Restricted
CDL-JU (92) 5

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

DOCUMENTATION CENTRE FOR CONSTITUTIONAL CASE LAW

Outline of Decisions taken by the European Commission for Democracy through Law

1. The Centre should collect the most important court decisions (including interim decisions) beginning with current and future decisions adding progressively, as far as possible, those past decisions that have assumed a particular importance.
2. The Centre should gather together those decisions with constitutional reach given by tribunals with other competences (for example Superior Courts).
3. The decisions should be communicated in extenso in the original language.
4. The decisions should be accompanied by summaries, preferably in English or French but otherwise in the working language of the Court.
5. The Centre will assume the cost of translating the summaries from the original language or French or English into English and/or French.
6. It could be envisaged, at a later stage, that the Centre translate the decisions into English

or French and then into other languages.

7. The Centre will be computerised from the outset.

8. In the initial stage the Courts will communicate their decisions on diskette. The Centre will deliver decisions to the courts in the same manner.

9. Following this, computerisation of the whole system could be envisaged, the data could then be fed and accessed directly by computer.

10. Access to the Centre's data bank should be granted free of charge to Constitutional Courts and other equivalent bodies of interested States in Europe and North America, in consideration of their feeding the bank.

11. Access could also be granted to other users such as ministries of Justice, parliaments, lower courts, universities etc. on payment of a user fee.

12. The Centre should collaborate with other existing Centres (Max Planck Institute, the (French) Group for Study and Research on Constitutional Justice, Documentation Centre of the Luxembourg and Strasbourg Institutions, etc...).

13. The centre would provide information relating to the existence of a decision in the subject area concerned in order to enable location of the complete text of that decision in the original language.

14. It is essential that the thesaurus should be designed in such a way that it sheds light not only on the national solution of a particular question, but also on the constitutional principles involved in the decision.

15. The Commission adopted as draft systematic thesaurus the text appearing in Appendix II to CDL-JU-PV (92) 3.