



Vilnius, 12 September 2017

CDL-WCCJ-GA(2017)005

**Activity Report
of the World Conference on Constitutional Justice
2014 – 2017**

adopted at the 12th Bureau meeting
of the World Conference on Constitutional Justice,
Vilnius, 11 September 2017,
presented to the 2nd General Assembly, Vilnius, 12 September 2017

By virtue of Article 4.b of the Statute of the World Conference on Constitutional Justice (WCCJ), the Bureau reports to the General Assembly on the activity of the WCCJ. As the 2nd meeting of the General Assembly will take place on 12 September 2017 in Vilnius, this report covers the period since the 1st General Assembly at the 3rd Congress in Seoul in September 2014.

Between the 1st General Assembly at the 3rd Congress and the 4th Congress, the main activities of the WCCJ included meetings of its Bureau and the participation in meetings and conferences of regional and linguistic groups.

The **Bureau of the WCCJ** met:

21/03/2015	Venice, Italy – 9 th meeting of the Bureau of the WCCJ The Bureau: <ul style="list-style-type: none">- accepted the candidacy of the Constitutional Court of Lithuania to host the 4th Congress in Vilnius in 2017;- examined the financial report;- discussed activities in between the congresses;- The regional and linguistic groups of Courts represented in the Bureau informed the participants about the programme of activities of their respective groups.
12/03/2016	Venice, Italy – 10 th meeting of the Bureau of the WCCJ The main decisions were: <ul style="list-style-type: none">- adopted “The Rule of Law and Constitutional Justice in the Modern World” as the topic of the 4th Congress, including the sub-divisions as set out by the Lithuanian hosts;- authorised the Host Court and the Secretariat to prepare a concept paper on the topic;- authorised the Host Court and the Secretariat to prepare a questionnaire on the topic. This questionnaire is to be sent to the Bureau by 31 May 2016, for written approval. The replies to

	<p>the questionnaire should be made available to the Member Courts, on the Venice Forum and should be used as the basis for presentations by the key-note speakers;</p> <ul style="list-style-type: none">- decided that the invitations should be sent as set out above and that the Constitutional Court of Lithuania should be given some leeway as regards additional invitations to the 4th Congress;- decided to strictly limit the size of the delegations to four persons;- decided to offer the groups the possibility to organise “group meetings” in the afternoon of 11 September 2017;- welcomed and accepted the offer by the Constitutional Court of Lithuania to cover the expenses of one delegate from each member of a Least Developed Country – LDC (economy class travel only) and decided to cover the expenses of any second member of these delegations under the same conditions;- decided to avail itself of the interpretation services of the Council of Europe for the 4th Congress;- decided to organise the 4th Congress in plenary session only and to limit interventions to five minutes;- invited the groups to propose up to three persons for chairs, key-note speakers and rapporteurs to the Secretariat, taking into account the proposal to ensure some rotation as compared to the 3rd Congress;- approved the distribution of expenses;- decided that the 2nd General Assembly should take place on the second day of the 4th Congress, on 12 September 2017. It would be invited, inter alia, to decide on any amendments to the Statute and to elect members of the Bureau;- authorised the Host Court and the Secretariat to prepare a draft Communiqué on the basis of the concept note, taking into account the permanent topic of the independence of the Courts – Stocktaking, and to submit it for discussion and approval of the Bureau;- took note of the financial report, including the possibility for expenses resulting from the offer of good services and participation of the Secretary General in activities of the groups;- decided to propose to the 2nd General Assembly an amendment to the Statute providing for the representation in the Bureau of four continents, whereby only Members from a given continent would have the active and passive right to vote in respect of a given continent;- decided to propose to the 2nd General Assembly an amendment to the Statute to include the Network of Constitutional Courts and Councils of Western and Central Africa as a group in the sense of Article 4.b.2 of the Statute;- took note of the support provided by the Venice Commission for Courts under undue pressure and decided to pursue the discussion on a mechanism involving the President of the Venice Commission;- decided to facilitate an exchange on IT matters between members in the framework of the Venice Forum.
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11/03/2017	<p>Venice, Italy – 11th meeting of the Bureau of the WCCJ</p> <p>The Bureau:</p> <ul style="list-style-type: none"> - decided that a future host of a WCCJ Congress must be able to ensure that there will be no difficulties of entry into the country for any of the member Courts of the WCCJ attending the event; - decided that the WCCJ's budget will cover travel expenses and the Lithuanian Court subsistence expenses for two delegates of a member Court from members Courts from Least Developed Countries; - decided that interpretation into Lithuanian will be provided at the 4th Congress, the expenses of which shall be covered by the Constitutional Court of Lithuania; - welcomed and accepted the Constitutional Court of Lithuania's offer to cover the cost of interpretation of the regional/linguistic groups; - decided that Mr Park's travel expenses to attend the 4th Congress would be borne by the WCCJ's budget; - decided to introduce an additional sentence to the draft Vilnius Communiqué deploring the attempt to abolish the rule of law and independence in countries; - decided to propose the new contribution scale to the General Assembly of the WCCJ (document CDL-WCCJ(2017)004).
12/09/2017	<p>Vilnius, Lithuania – 12th meeting of the Bureau of the WCCJ.</p> <p>The Bureau:</p> <ul style="list-style-type: none"> - chose Algiers, Algeria as the venue for the 5th Congress in 2020 and received an unequivocal undertaking from the Constitutional Council of Algeria that all member Courts of the WCCJ will be able to attend this Congress; - discussed the CCJA's declaration in support of the Supreme Court of Kenya and decided not to support it.

A list of meetings and conferences in which the Presidency of the Bureau and/or the Venice Commission as the Secretariat participated is available in the Appendix.

Book exchange

The book exchange programme between courts within the World Conference on Constitutional Justice was set up to enable Member Courts that have a surplus of publications to share them with other interested Courts.

This information is available to liaison officers on the Venice Forum – in an Excel table format:

<https://cs.coe.int/team21/veniceforum/WCCJbookexchangechangedelivres/Forms/AllItems.aspx>

CODICES

The Venice Commission produces the CODICES database, which contains summaries (précis) and full texts of around 9000 decisions from Member Courts of the World Conference, mainly in English and French, but also full texts in more than 40 other languages. The constitutions are also included in the CODICES database.

The CODICES database greatly facilitates comparative research carried out by the courts, which can draw on approaches already adopted by other countries, particularly in the field of fundamental rights. The circulation of information is therefore a powerful cross-fertilisation tool that enables courts to draw inspiration from the constitutional practice of their counterparts in other countries. While the courts do not always refer to these foreign sources, the arguments they obtain through their comparative research in CODICES enriches national judgments.

CODICES is available at www.CODICES.CoE.int and is regularly updated to show recent case-law.

Venice Forum

The Venice Commission maintains the Venice Forum, which contains the Newsgroup (member Courts can make announcements to other member courts), Constitutional Justice Media Observatory and the documents of the World Conference on Constitutional Justice. The restricted Venice Forum is open to liaison officers appointed by the Courts Members of the World Conference.

Training

The Venice Commission provides training of liaison officers on using the database CODICES as well as the Venice Forum.

26-27 2015	March	Strasbourg, France	ACCPUF liaison officer seminar – training on accessing and feeding information into the CODICES database.
11-12 2015	June	Bucharest, Romania	14 th meeting of the Joint Council on Constitutional Justice – training session on CODICES and the Venice Forum.
7-8 2016	June	Venice, Italy	15 th meeting of the Joint Council on Constitutional Justice – training session on CODICES and the Venice Forum.
18-19 2017	May	Karlsruhe, Germany	16 th Meeting of the Joint Council on Constitutional Justice – training session on CODICES and the Venice Forum.

The Venice Commission is available to provide such training to other regional and linguistic groups or on a global scale.

APPENDIX – List of meetings and conferences

Co-operation with the Conference of European Constitutional Courts (CECC)

9-12 September 2015	Batumi, Georgia – Preparatory meeting for the XVII th Congress of the CECC.
28 June-1 July 2017	Batumi, Georgia – XVII th Congress of the CECC on the “Role of the Constitutional Courts in Upholding and Applying the Constitutional Principles.”

Co-operation with the Association of Constitutional Courts using the French Language (ACCPUF)

26-27 March 2015	Strasbourg, France – Training for ACCPUF liaison officers on contributing to CODICES.
3-7 June 2015	Lausanne, Switzerland – ACCPUF's 7 th Congress on the theme “Supremacy of the Constitution”.
28-29 September 2016	Chisinau, Republic of Moldova – 8 th ACCPUF Conference on “The organisation of the adversarial principle.”

Co-operation with the Southern African Chief Justices Forum (SACJF)

22-25 September 2016	Windhoek, Namibia – SACJF conference on organised crime.
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Co-operation with the Conference of the Constitutional Control Organs of the Countries of New Democracy (CCCOCND)

8-10 October 2015	Yerevan, Armenia – XX th Yerevan International Conference on “The role of Constitutional Courts in strengthening the independence of the judicial power: doctrinal approaches and contemporary challenges”.
20-23 October 2016	Yerevan, Armenia – XXI st Yerevan International Conference organised by the Constitutional Court of Armenia on “The role and importance of constitutional courts decisions in addressing legislative gaps and legal uncertainty.”

Co-operation with the Association of Asian Constitutional Courts and Equivalent Institutions (AACC)

15-16 August 2015	Jakarta, Indonesia – AACC International Symposium on the “Constitutional Complaint as an Instrument for Protecting Fundamental Rights of Citizen”.
8-13 August 2016	NusaDua, Indonesia – 3 rd Congress of the AACC on “The Promotion and Protection of Citizens’ Constitutional Rights.”
7-10 August 2017	Solo, Indonesia – AACC International Symposium on “The Constitutional Court as the Guardian of Ideology and Democracy in a Pluralistic Society”.

Co-operation with the Ibero-American Conference of Constitutional Justice (CIJC)

29 June-1 July 2016	Lima, Peru – XI th CIJC meeting on “Constitutional State and Economic Development.”
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Co-operation with the Union of Arab Constitutional Courts and Councils (UACCC)

22 March 2015	Kuwait – 9th UACCC symposium on “The role of the Constitutional Judiciary in the Development of Constitutional and Political systems - Arab Experiences”.
28-29 February 2016	Dead Sea, Jordan – Conference on the “Arab Constitutional Courts and Councils: Possible Reforms and Challenges in Light of Regional Changes”.

Co-operation with the Conference of Constitutional Courts of Portuguese Speaking Countries (CJCLP)

7-8 April 2016	Brasília, Brazil – IV th General Assembly of the CJCLP on the topic “The effectiveness of constitutional guarantees in Portuguese-Speaking Countries”.
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Co-operation with the Conference of Constitutional Jurisdictions of Africa (CCJA)

7-10 May 2015	Libreville, Gabon – 3 rd Congress of the Conference of Constitutional Jurisdictions of Africa (CCJA) on the topic “Constitutional Court and regulatory function”.
23-26 April 2017	Cape Town, South Africa – 4th Congress of the Conference of Constitutional Jurisdiction of Africa (CCJA) on “Promoting the Independence of the Judiciary and the Rule of Law.”