



CODICES User guide

(09/02/2024)

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I. Introduction

1. The CODICES database presents the leading constitutional case-law of more than 100 Constitutional Courts and Courts with equivalent jurisdiction (hereinafter, “the Courts”) to the public.
2. CODICES contains over 12.000 Court decisions (summaries, called Précis, in English and French as well as full texts of the decisions in 43 languages) together with Constitutions, laws on the Courts and court descriptions explaining their functioning.
3. The contributions, presented in CODICES, are prepared by liaison officers appointed by the Courts themselves. This is an essential guarantee for the quality of the information presented in CODICES.

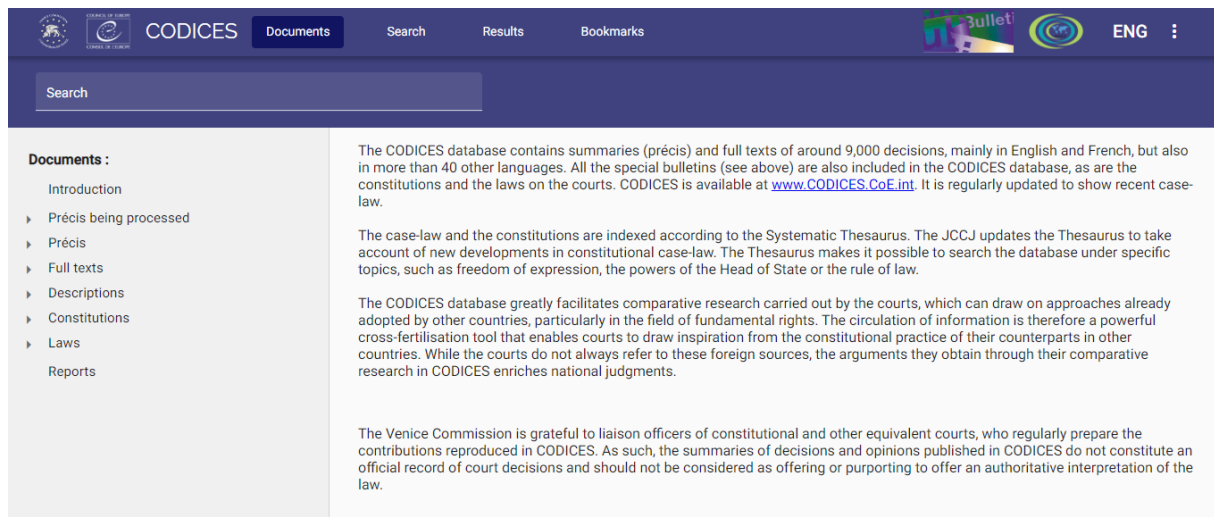
The image below shows how the abbreviation CODICES was constructed:

CODICES – abbreviation
of Digest
of CONstitutional CasES

4. The [Venice Commission](#) (European Commission for Democracy through Law) of the [Council of Europe](#) hosts the database in Strasbourg and updates it regularly. The on-line version of CODICES is available at www.CODICES.CoE.int. Liaison officers, appointed by the participating Constitutional Courts and Courts with equivalent jurisdiction contribute to CODICES three times a year, each contribution covering a four-month period: January to April, May to August and September to December. However, not all contributions arrive at the same time. CODICES is updated, on average, every two weeks.

II. CODICES Quick start

5. Start CODICES by typing www.codices.coe.int into your browser (Chrome, Firefox, Chrome, Internet Explorer, Safari, etc.). First, you will see CODICES’ welcome page:



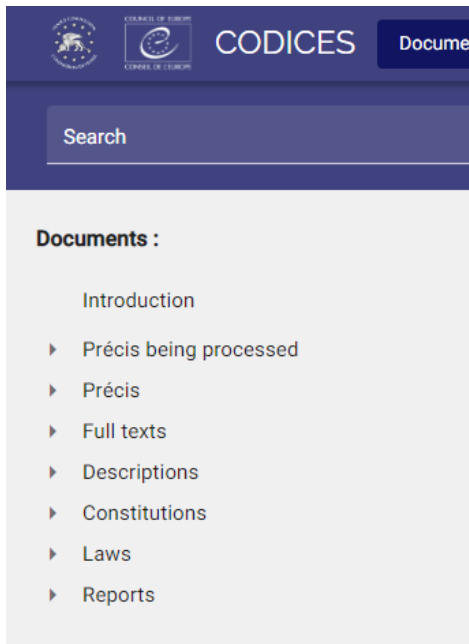
The CODICES database contains summaries (précis) and full texts of around 9,000 decisions, mainly in English and French, but also in more than 40 other languages. All the special bulletins (see above) are also included in the CODICES database, as are the constitutions and the laws on the courts. CODICES is available at www.CODICES.CoE.int. It is regularly updated to show recent case-law.

The case-law and the constitutions are indexed according to the Systematic Thesaurus. The JCCJ updates the Thesaurus to take account of new developments in constitutional case-law. The Thesaurus makes it possible to search the database under specific topics, such as freedom of expression, the powers of the Head of State or the rule of law.

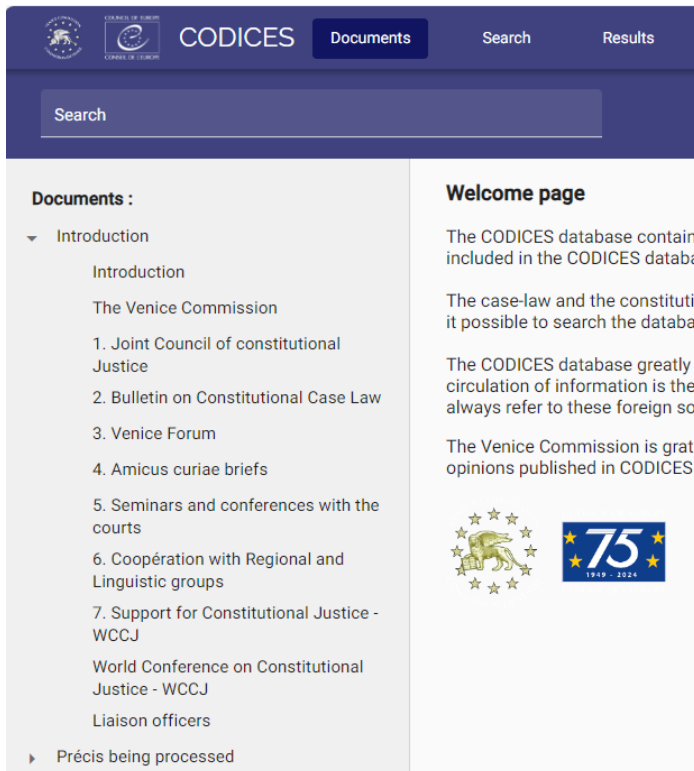
The CODICES database greatly facilitates comparative research carried out by the courts, which can draw on approaches already adopted by other countries, particularly in the field of fundamental rights. The circulation of information is therefore a powerful cross-fertilisation tool that enables courts 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.

The Venice Commission is grateful to liaison officers of constitutional and other equivalent courts, who regularly prepare the contributions reproduced in CODICES. As such, the summaries of decisions and opinions published in CODICES do not constitute an official record of court decisions and should not be considered as offering or purporting to offer an authoritative interpretation of the law.

6. The left menu gives you access to the documents available in CODICES:



7. Developing further the menu items "Introduction", you will see information on the work of the Venice Commission and the World Conference on Constitutional Justice.



8. When you develop the menu item “Liaison officers” you will see the current list of liaison offers who provide the contributions to CODICES.

Note: The abbreviations in the column “GROUPS” indicate which [regional or linguistic groups](#) that Court is a member of (JCCJ refers to the [Joint Council on Constitutional Justice](#)).

List of liaison officers

Country / Organization	Name	Court	Groups
African Union	Mr Hubert GOULEYO	African Commission on Human and Peoples' Rights	
African Union	Mrs Aminata Jawara MANGA	African Commission on Human and Peoples' Rights	
Albania	Ms Ela ELEZI	Constitutional Court	WCCJ, JCCJ, CECC, ACCF
Algeria	Mr Lyes SAM	Constitutional Court	WCCJ, JCCJ, ACCF, CJCA, UACCC
Andorra	Mme Meritxell TOMÀS-BALDRICH	Constitutional Court	WCCJ, JCCJ, CECC, ACCF, CIJC
			WCCJ, ACCF

9. If you want to browse recent cases by country, for example from the Constitutional Court of Austria, expand the menu “Précis being processed”, “Europe”, “Austria”

The screenshot shows the CODICES website interface. At the top, there is a search bar and navigation tabs for 'Documents', 'Search', 'Results', and 'Bookmarks'. The language is set to 'ENG'. The sidebar menu is expanded to show 'Précis being processed', 'Europe', and 'Austria'. The main content area displays details for document AUT-2022-1-001, including its date (08/03/2022) and keywords.

10. Please note that in the part of “Précis being processed” you will find contributions that are not yet completely edited and translated. Once this phase is completed, the précis moves to the “Précis” part of CODICES, i.e. in the example above the précis “AUT-2022-1- 001” will no longer be in the “Précis being processed” part.

11. If you wish to do a search by topic, please use the Systematic Thesaurus. Open the “Search” page, then select “Systematic Thesaurus” and look for the concept / category that you are interested in. The search bar allows you to filter a desired term. Below, there is an example of a search for case-law on equality / discrimination by gender:

CODICES Documents Search Results Bookmarks

Systematic Thesaurus Keywords Advanced search

Search by systematic Thesaurus

Search in the systematic Thesaurus

Language of the systematic Thesaurus English

▶ 01 Constitutional Justice. ⓘ	Precis	Constitution
▶ 02 Sources.	Precis	Constitution
▶ 03 General Principles.	Precis	Constitution
▶ 04 Institutions.	Precis	Constitution
▶ 05 Fundamental Rights. ⓘ	Precis	Constitution

12. You may see links under the folders of “Précis” and “Const.” on the right side of the screen:

Search by systematic Thesaurus

Search in the systematic Thesaurus

Language of the systematic Thesaurus English

▼ 01 Constitutional Justice. ⓘ	Precis	Constitution
▼ 01.01 Constitutional jurisdiction. ⓘ	Precis	Constitution
▶ 01.01.01 Statute and organisation.	Precis	Constitution
▶ 01.01.02 Composition, recruitment and structure.	Precis	Constitution
▶ 01.01.03 Status of the members of the court.	Precis	Constitution
▶ 01.01.04 Relations with other institutions.	Precis	Constitution
▶ 01.02 Types of claim.	Precis	Constitution

13. In the Thesaurus, search for “gender”:

Search by systematic Thesaurus

Search in the systematic Thesaurus gender

Language of the systematic Thesaurus English

▼ 5 Fundamental Rights ⓘ	Précis	Constitutions
▼ 5.2 Equality ⓘ	Précis	Constitutions
▼ 5.2.2 Criteria of distinction	Précis	Constitutions
5.2.2.1 Gender	Précis	Constitutions

Then, click on the link “Précis”, which will start a search in the database for the topic equality / discrimination by gender, which already has 479 results (09/02/2024). This means, that there are

many decisions / judgments to be examined on this topic in CODICES:

The screenshot shows the CODICES search interface. On the left, under 'Documents', there is a tree view showing 'Précis being processed' and '(479) Précis' with a sub-entry for '(341) Europe'. The main area on the right, titled 'RESULTATS', lists four search results:

- BEL-1993-2-023 01.07.1993 53/93**: Précis / Europe / Belgium / BEL-1993-2-023 01.07.1993 53/93 ...5.2.2.1 Fundamental Rights - Equality - Criteria of distinction - Gender
- ITA-1993-2-006 02.04.1993 163/1993**: Précis / Europe / Italy / ITA-1993-2-006 02.04.1993 163/1993 ...5.2.2.1 Fundamental Rights - Equality - Criteria of distinction - Gender
- RSA-1996-1-009 15.05.1996 CCT 15/95 Brink v. Kitshoff NO**: Précis / Africa / South Africa / RSA-1996-1-009 15.05.1996 CCT 15/95 Brink v. Kitshoff NO ...5.2.2.1 Fundamental Rights - Equality - Criteria of distinction - Gender
- POL-1993-2-007 06.04.1993 K 7/92**: Précis / Europe / Poland / POL-1993-2-007 06.04.1993 K 7/92 ...5.2.2.12 Fundamental Rights - Equality - Criteria of distinction - Civil status

14. If you want to consult these results, click on them in the main body, for instance by clicking on “BEL-2002-3-011” you will bring up the corresponding Précis:

The screenshot shows the detailed view of the document 'BEL-2002-3-011'. The left sidebar shows the document's location in the hierarchy: 'Précis being processed' > '(479) Précis' > '(341) Europe' > '(43) Belgium'. The main content area includes navigation buttons (PREVIOUS, NEXT, PREVIOUS WORD, NEXT WORD) and the following text:

BEL-2002-3-011
 a) Belgium b) [Court of Arbitration](#) c) d) 06/11/2002 e) 161/2002 f) g) *Moniteur belge* (Official Gazette), 25.02.2003 h) Codices ([French](#) [German](#) [Dutch](#))

Keywords of the Systematic Thesaurus
[3.19](#) - General Principles - Margin of appreciation
[5.2.2.1](#) - Fundamental Rights - Equality - Criteria of distinction - Gender
[5.3.33.1](#) - Fundamental Rights - Civil and political rights - Right to family life - Descent

Keywords of the alphabetical index
[Descent](#), [Lawful](#), [Child's name](#) / [Child](#), [Born out of wedlock](#), [Surname](#) / [Modern society](#), [Changing traditions](#)

Headnotes
 The preference given to the paternal surname may be explained by the patriarchal concepts of the family and household that have long prevailed in society.

Other systems could meet the objectives pursued in assigning a surname in today's society. This does not, however, constitute sufficient grounds for the existing system to b

Summary

15. In order to search via the Systematic Thesaurus, you can also use a filter:

Filter by country

- Belgium (43)
- South Africa (34)
- Germany (27)
- France (21)
- Council of Europe (19)
- European Union, Court of Justice (18)

[See all](#) [Clear](#)

Filter by Thesaurus terms

- 5.2.2.1 Fundamenta... - Equality - Criteria o... - Gender (260)
- 5.2.2.11 Fundamenta... - Equality - Criteria o... - Sexual orientation (116)
- 5.2.2.12 Fundamenta... - Equality - Criteria o... - Civil status (91)
- 5.3.33 Fundamenta... - Civil and ... - Right to family life (62)

16. If you want to choose from a list of all keywords of the Systematic Thesaurus, click on “See all” in the Filters box. If you want to remove previous Thesaurus filters, click on “Reset”:

Filter by country

- Belgium (43)
- South Africa (34)
- Germany (27)
- France (21)
- Council of Europe (19)
- European Union, Court of Justice (18)
- Portugal (17)
- Spain (15)

17. In order to choose among the results, click on each of them in turn:

The screenshot shows the CODICES search interface. On the left, under 'Documents', there is a tree view showing the hierarchy: (479) Précis > (341) Europe > (43) Belgium > (27) Germany > (21) France > (19) Council of Europe > (18) European Union, Court of Justice > (17) Portugal > (15) Spain > (14) Austria > (14) Hungary > (13) Türkiye > (12) Poland. On the right, under 'RESULTATS', there are four search results listed with their respective titles and keywords.

18. It is usually enough to take a quick look at the keywords (“Thesaurus” and “Alphabetical Index”) and to read the Headnotes to decide whether or not the Précis is relevant for your research. If it is, click on the icon “Bookmark” (🔖). The color of the icon changes after the click, the document is bookmarked (🔖).

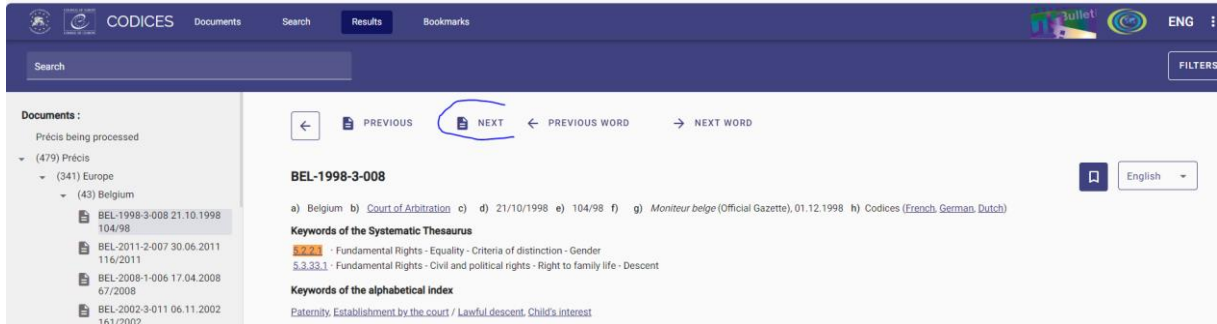
This screenshot shows the detailed view of document BEL-1998-3-008. It includes navigation buttons for 'PREVIOUS', 'NEXT', 'PREVIOUS WORD', and 'NEXT WORD'. The document title is 'BEL-1998-3-008'. Below the title, there are keywords from the 'Systematic Thesaurus' and the 'Alphabetical Index'. A bookmark icon (🔖) is visible next to the document title, and it is highlighted with a blue circle. The language is set to 'English'.

19. To return to the list of results, please click on the back arrow:

This screenshot is identical to the previous one, showing the detailed view of document BEL-1998-3-008. A blue circle is drawn around the back arrow icon (←) in the navigation bar, indicating the action to return to the list of results.

20. Consult the next Précis until you have seen all the results of your search.

21. In order to move to the next page at the end of the list of results, click on “Next” (see below).



III. CODICES functions

1. Working with Bookmarks

22. Bookmarks make the navigations and reference to your site more convenient.

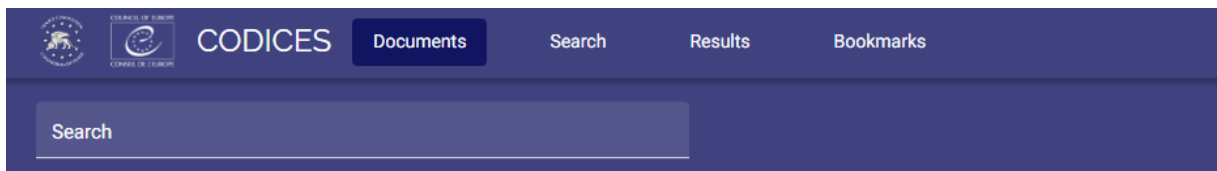
23. You can add, remove, or edit the Bookmarks so that you can save any document pages. CODICES stores bookmarks as part of your user preferences.

24. To add a bookmark, open the necessary document page and click on the icon “Bookmark”. The Bookmark will be added and saved.

25. To display the added bookmarks, click on the Bookmarks menu. The Bookmarks page opens and all added bookmarks are listed. On this page you can edit or delete the names of saved bookmarks.

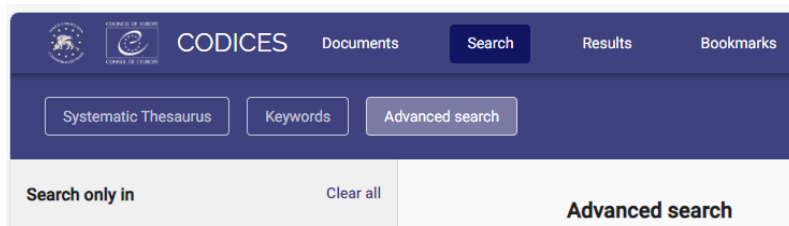
2. Running a search

26. On the default site, there are many different ways in which you can run a search. You should start all searches by typing what you wish to search for into the quick search bar located at the top, middle-left of the default site.



27. Alternatively, you can choose to perform a search using one of the 3 options provided in the search menu:

- Systematic Thesaurus
- Keywords
- Advanced search



Advanced search

Text search Types of contributions
All

Proximity search ⓘ

Search criteria ^

Codices ID Decision number

Title Countries

Start date End date

Language Group

Thesaurus number (Ex: 01.02) Thesaurus text

Index

3. Navigating Search Results or Documents

28. After selecting a document from the list of search results, you can manually scroll through that document to identify all the matches. You can also use the tools in the Document toolbar to navigate the search results and documents.

- Prev Match () or Next Match () Moves from one search match to the next within one document. The search for the match in the document is cyclical. If you use your system PDF viewer, use the navigation tools that are included in the interface of your system PDF viewer.
- Prev Hit Doc () or Next Hit Doc () Moves from one document in your search results list to the next.

IV. Main parts of CODICES in addition to the case-law Précis

29. CODICES consists of eight parts:

1. Introduction
2. On-going Précis (summaries of decisions), most recent contributions in English or French, which are still in the process of final editing, but they are available to the public right after being sent to the Venice Commission
3. Précis (final, proof-read)
4. Full texts of decisions (in 43 languages)
5. Descriptions of the Courts (basic texts, composition, procedure and organisation, jurisdiction / powers, nature and effects of decisions)
6. Constitutions, including the European Convention on Human Rights and its protocols (ECHR) and other international treaties
7. Laws governing the work of the Courts
8. Reports presents various constitutional justice reports that are not available on the web site of the Venice Commission (www.venice.coe.int).

1. The Systematic Thesaurus

30. The Systematic Thesaurus has two functions in CODICES: it searches both the Précis for a decision which has been indexed according to a given keyword of the Systematic Thesaurus and the constitutions for articles which have been indexed accordingly.

31. Please note that indexing of the constitutions is an on-going project and not all constitutions contained in CODICES have been indexed yet. For some constitutions, the indexing of amendments needs to be updated. Please signal any incorrect indexing to venice@coe.int.

2. The Alphabetical Index

32. The Alphabetical Index is composed of a list of keywords that are complementary to the Systematic Thesaurus and cross-references, both within this list and towards the Systematic Thesaurus.

33. The keywords of the Alphabetical Index are arranged in alphabetical order. Underlined keywords are query links, which search for all the occurrences of these keywords in the Précis.

34. There are two types of cross-references: a keyword of the index may be a cross-reference to another keyword of the index (e.g. "AIDS see HIV (AIDS)") or to a keyword of the Systematic Thesaurus (e.g. "Equality see mainly 5.2"). The phrase "see mainly" serves as a reminder that Précis are principally indexed using the Systematic Thesaurus and that the Alphabetical Index is simply complementary to the thesaurus. Thus, the user's approach to CODICES should be to conduct searches using the Systematic Thesaurus, which includes the constitutional concepts in its legal context. The Alphabetical Index is used for indexing legal fields not just constitutional law (criminal law, civil law) or factual elements.

3. Full texts of decisions

35. CODICES contains around 10.000 full texts of decisions, in the original language or translated, that have been published as Précis in the Electronic Bulletin on Constitutional Justice (e-Bulletin). There is an identification number for these texts, which corresponds to the one used for the Précis. In the Précis, if there is a full text available it will include, in zone h) of the Identification section, the word "CODICES" followed (in brackets) by the list of languages in which the full text is available. The name of the language is a link to the full text of the decision in that language. (E.g. "h) CODICES (Czech, English)"; the word "Czech" is a link to the corresponding full text of the decision in Czech, and the "English", to the full text in English.)

36. Other full texts in CODICES, for which there is no Précis, have identification numbers containing an "X" (e.g. "SLO-1995-X-002"). Consequently, there are no links to a Précis and it cannot be found via a Systematic Thesaurus search, since the thesaurus is used to index the Précis but not the full texts. These "X" full texts do contain, however, the fields "T_Identification", "T_NUM" and "T_Date" (of the decision), which can be used to carry out field searches. As the "Full Texts" book includes texts not only in English and French but also in other languages, the relevant fields begin with the letter "T_"

4. Descriptions of participating courts

37. The Courts' descriptions include all or some of the following chapters: Introduction, Basic Texts, Composition and organisation, Powers, Nature and effects of judgments, Conclusion, Bibliography.

5. Constitutions including the European Convention on Human Rights (ECHR)

38. This part contains constitutions (or extracts concerning the constitutional court or court with equivalent jurisdiction) in English and/or in French.

39. In the "Précis" and "Précis being processed" parts, links lead from references to articles of the constitutions in the Précis to the corresponding text of the articles. In the "Constitutions" book, query links in the title of the article (e.g. "Article 17") search for all the Précis in which the Article has been cited. This function allows the case-law concerning a given article of a constitution to be found.

V. CODICES advanced searches

40. The advanced search mask carries out searches in specific parts of the Précis. The following fields are available for searches (queries):

- Text search: Works like the quick search in the header and additionally allows the use of keywords such as and, or, not
- Types of contributions
- Proximity search
- ID CODICES
- Decision number
- Title
- Country
- Decision date between a start date and end date
- Language
- Court groups
- Systematic Thesaurus
- Alpha Index

41. In zone " Alphabetical Index" of the Précis, many keywords are also links (blue and underlined). If you click on them, they will start a query for the main part of this keyword in all other Précis. The main part of a keyword is the part before the first comma, e.g. in the keyword "Time limit, extension", the main part is "Time limit". Therefore, the query link will find "Time limit, reduction" as well because the query searched for all the keywords of the index beginning with "Time limit".

VI. The highlight of CODICES: case-law on a specific article of a constitution and the European Convention on Human Rights (and other treaties)

42. The Précis (case-law), the Constitutions and the Laws are searchable in full text, as well via the detailed Systematic Thesaurus of constitutional law.

43. The highlight of CODICES is the system of extensive links between the various parts of the database. Each reference to an article of a national constitution is linked to the text of the article. Conversely, a click on the articles of a constitution that brings up the pertinent case law of the Court. The European Convention on Human Rights and other international treaties are also included in the database. As a consequence, a click on an article of the Convention brings up not only the case-law of the European Court of Human Rights, but more importantly, the case law of the national Court referring to that Article of the Convention. 16

44. For instance, when looking for case law on Article 6 ECHR, go to the part "Constitutions", "English", "Council of Europe" (for technical reasons, CODICES considers the Convention to be the constitution for the "country" Council of Europe), "Convention for the Protection ..." and scroll down to Article 6 ECHR:

CODICES Documents Search Results Bookmarks ENG

Search

- ▶ Belgium
- ▶ Bosnia and Herzegovina
- ▶ Bulgaria
- ▶ Council of Europe
 - ▼ Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 14
 - Article 1 - Obligation to respect human rights
 - ▶ Section I - Rights and freedoms
 - ▶ Section II - European Court of Human Rights
 - ▶ Section III - Miscellaneous provisions
 - ▶ Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 9)
 - ▶ Protocol No. 3 to the Convention for the Protection of Human Rights and Fundamental Freedoms, amending Articles 29, 30 and 34 of the Convention (ETS No. 45)
 - ▶ Protocol No. 4 to the Convention for the Protection of Human Rights and Fundamental Freedoms, securing certain rights and freedoms other than those already included in the

5 Everyone who has been the victim of arrest or detention in contravention of the provisions of this article shall have an enforceable right to compensation.

Article 6 - Right to a fair trial ⓘ

1 In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interests of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

2 Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.

3 Everyone charged with a criminal offence has the following minimum rights:

- a to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
- b to have adequate time and facilities for the preparation of his defence;
- c to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
- d to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
- e to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

Article 7 - No punishment without law ⓘ

1 No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed.

45. Click on the link “Article 6” and you will obtain over 650 results.

46. While the case law of the European Court of Human Rights is easily available in HUDOC, with this search you also carry out a comparative analysis of national case law relating to an article of the Convention.

* * *