



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

CO-OPERATION AGREEMENT
BETWEEN
THE SOUTHERN AFRICAN JUDGES COMMISSION
AND
THE EUROPEAN COMMISSION
FOR DEMOCRACY THROUGH LAW
OF THE COUNCIL OF EUROPE
(VENICE COMMISSION)

The Southern African Judges Commission (hereinafter "the SAJC") and the European Commission for Democracy through Law (hereinafter "the Venice Commission") being the parties to this Agreement (hereinafter "the Parties");

Whereas the Parties, in their activities, bring together constitutional courts and equivalent institutions (hereinafter "the Participants");

Recognising democracy, the protection of human rights and the rule of law as universal values which unite the Parties and the Participants;

Recognising the value of the diversity of judicial systems represented by the Participants;

Agree as follows:

Article 1 – Exchange of documentation

The Venice Commission provides to the courts members of the SAJC its publications in the field of constitutional justice free of charge, in particular the *Bulletin on Constitutional Justice* and the database CODICES. The SAJC provides its publications to the Documentation Centre of the Venice Commission free of charge.

Article 2 – Contributions to the CODICES database

The Venice Commission includes free of charge contributions from the member courts of the SAJC into its CODICES database. In contributing to the database via liaison officers appointed by them, the SAJC member courts follow the appropriate Venice Commission guidelines for such contributions.

Article 3 - Opinions

Upon request by the SAJC and subject to approval by the Committee of Ministers of the Council of Europe, the Venice Commission may provide opinions on constitutional matters to the SAJC and its member courts.

Article 4 - Support for meetings of the SAJC

Within available voluntary funding, the Venice Commission endeavours to support meetings of the SAJC related to democracy, the protection of human rights and the rule of law.

Article 5 – Support of actions relating to issues of concern amongst members of the SAJC

Upon request by the SAJC, the Venice Commission may - as appropriate - support public declarations by the SAJC addressing issues of concern amongst members of the SAJC.

Article 6 – Mutual representation

The Venice Commission undertakes to invite a representative of the SAJC to the Plenary Sessions of the Venice Commission's Joint Council on Constitutional Justice as an observer. The SAJC undertakes to invite a representative of the Venice Commission to its general meetings as an observer.


Article 7 – Entry into force


This Agreement shall come into force after it has been approved by the competent bodies of the two Parties and signed by the representatives of the SAJC and the Venice Commission.

Article 8 – Termination of agreement

This agreement has been concluded for an indefinite duration. It can be terminated by either of the Parties by giving notice in writing.

Done at MASERU this 31st March, 2007, in two copies in the English language.


CHIEF JUSTICE B.A. SAMATA,
ON BEHALF OF THE SOUTHERN
AFRICAN JUDGES COMMISSION


Secretary
of the Venice Commission