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**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 all 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...).

- Decisions proposed to the European Commission for Democracy through Law by the Working Party on the drawing up of a Thesaurus  
(Strasbourg, 27 April 1992)

1. 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.

2. 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.

3. The thesaurus should be drawn up on the basis of the Ryckeboer-Vandernoot project with headings dividing it into those four general areas which were proposed by Mr. Favoreu and Mr. Zagrebelsky:

- . Constitutional justice
- . Sources of law
- . Institutions in a wider sense/ organisation of the State and public powers
- . Freedoms and fundamental rights

4. The first category should contain a sub-heading entitled "common principals of interpretation or reasoning" aimed at gathering together concepts such as the principal of proportionality, the Rule of law, the principal of pluralism etc.

5. The constitutional courts should be invited to transmit any national thesauri that may be available and that they may be using.

6. The constitutional courts should be closely associated with the elaboration up of the thesaurus and, for this purpose, it seems preferable that the discussion with the experts continue within the working group on constitutional justice in liaison with the officials of the concerned constitutional courts.

7. In order to concretely examine the method of the practical organisation of the centre, the liaison officers could be invited, in the near future, to transmit a decision from their courts accompanied by an abstract prepared according to the model in Annex 2 of the report of Mr. Ryckeboer and Mr. Vandernoot. This exercise should concern, as far as possible, a theme commonly examined in Constitutional Jurisprudence. The following themes have been envisaged: abortion, audiovisual, financing of political parties, equality in electoral matters, expropriation, nationalisation, private life, delegation of legislation, reservation of laws.