

SYSTEMATIC THESAURUS

Proposals for the modification of version 10

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 - 9.2.10.19 Presumption of innocence
 - 9.2.10.20 Right not to incriminate one-self
 - 9.2.10.21 Right to be informed about the reasons of detention
 - 9.2.10.22 Right to be informed about the charges
 - 9.2.10.23 Right to have adequate time and facilities for the preparation of the case
 - 9.2.10.24 Right to counsel
 - 9.2.10.25 Right to examine witnesses
- 9.2.11 **Right to compensation for damage caused by the State**
- 9.2.12 Rights of domicile and establishment

- 9.2.13 Freedom of conscience [\[58\]](#)
- 9.2.14 Freedom of opinion
- 9.2.15 Freedom of worship
- 9.2.16 Freedom of expression [\[59\]](#)
- 9.2.17 Freedom of the written press
- 9.2.18 Rights in respect of the audiovisual media and other means of mass communication
- 9.2.19 Right to information
- 9.2.20 Right to administrative transparency
- 9.2.21 Right of access to administrative documents
- 9.2.22 Right to a nationality
- 9.2.23 National service [\[60\]](#)
- 9.2.24 Freedom of association
- 9.2.25 Freedom of assembly
- 9.2.26 Right to participate in political activity
- 9.2.27 Right to respect for one's honour and reputation
- 9.2.28 Right to private life
 - 9.2.28.1 Protection of personal data
- 9.2.29 Right to family life [\[61\]](#)
 - 9.2.29.1 Descent
 - 9.2.29.2 Succession
- 9.2.30 Inviolability of the home
- 9.2.31 Inviolability of communications
 - 9.2.31.1 Correspondence
 - 9.2.31.2 Telephonic communications
 - 9.2.31.3 Electronic communications
- 9.2.32 Right of petition
- 9.2.33 Non-retrospective effect of law
 - 9.2.33.1 Criminal law
 - 9.2.33.2 Civil law
 - 9.2.33.3 Taxation law
- 9.2.34 Right to property
 - 9.2.34.1 Expropriation
 - 9.2.34.2 Nationalisation
 - 9.2.34.3 Other limitations
 - 9.2.34.4 Privatisation
- 9.2.35 Linguistic freedom
- 9.2.36 Electoral rights
 - 9.2.36.1 Right to vote
 - 9.2.36.2 Right to be elected **stand for election**
- 9.2.37 Rights in respect of taxation
- ~~9.2.38 Right of asylum~~
- 9.2.38 Right to self fulfilment
- ~~9.2.39 Rights of the child~~
- ~~9.2.40 Protection of minorities and persons belonging to minorities~~

9.3 Economic, social and cultural rights

- 9.3.1 Freedom to teach
- 9.3.2 Right to be taught
- 9.3.3 Right to work
- 9.3.4 Freedom to choose one's profession [\[62\]](#)
- 9.3.5 Freedom to work for remuneration
- 9.3.6 Commercial and industrial freedom
- 9.3.7 Right of access to the public service
- 9.3.8 Right to strike
- 9.3.9 Freedom of trade unions
- 9.3.10 Right to intellectual property
- 9.3.11 Right to housing
- 9.3.12 Right to social security
- 9.3.13 Right to a pension**
- 9.3.14 Right to just and decent working conditions
- 9.3.15 Right to a sufficient standard of living
- 9.3.16 Right to health
- 9.3.17 Right to culture
- 9.3.18 Scientific freedom
- 9.3.19 Artistic freedom

9.4 Specific rights ^[63]

- 9.4.1 Rights of the child
- 9.4.2 Protection of minorities or persons belonging to minorities
- 9.4.3 Rights of persons with disabilities
- 9.4.4 Rights of minors or incapacitated persons
- 9.4.5 Rights of the imprisoned
- 9.4.6 Rights of foreigners
 - 9.4.6.1 Expulsion
 - 9.4.6.2 Extradition
 - 9.4.6.3 Right of asylum
 - 9.4.6.4 Naturalisation

9.5 Collective rights

- 9.5.1 Right to the environment
- 9.5.2 Right to development
- 9.5.3 Right to peace
- 9.5.4 Right to self-determination
- 9.5.5

In addition, the Secretariat proposes to rearrange the chapters of the Systematic Thesaurus in the following order:

- 1 *Fundamental Rights*
- 2 *General Principles*
- 3 *Institutions*
- 4 *Sources of constitutional law*
- 5 *Constitutional Justice*

[1] Constitutional Court or equivalent body (constitutional tribunal or council, supreme court etc)

[2] Including the conditions and manner of such appointment (election, nomination, etc)

[3] Including the conditions and manner of such appointment (election, nomination, etc)

[4] Vice-presidents, presidents of chambers or of sections, etc

[5] Eg State Counsel, prosecutors etc

[6] Registrars, assistants, auditors, general secretaries, researchers, other personnel, etc

[7] Eg assessors

[8] Registrars, assistants, auditors, general secretaries, researchers, other personnel, etc

[9] ~~Preliminary references~~ **Referrals of preliminary questions** in particular

[10] Horizontal distribution of powers

[11] Vertical distribution of powers, particularly in respect of states of a federal or regionalised nature

[12] Decentralised authorities (municipalities, provinces, etc)

[13] This keyword concerns decisions on the procedure and results of ~~referendums~~ **referenda** and other consultations

[14] This keyword concerns decisions preceding the referendum including its admissibility

[15] Examination of procedural and formal aspects of laws and regulations, particularly in respect of the composition of parliaments, the validity of votes, the competence of law-making authorities, etc (questions relating to the distribution of powers as between the State and federal or regional entities are the subject of another keyword (No 133))

[16] Local authorities, municipalities, provinces, departments, etc

[17] Or: functional decentralisation (public bodies exercising delegated powers)

[18] Political questions

[19] Unconstitutionality by omission

[20] Pleadings, final submissions, notes, etc

[21] This keyword allows for the inclusion of enactments and principles arising from a separate constitutional chapter elaborated with reference to the original Constitution (Declarations of rights, Basic Charters, etc)

[22] Presumption of constitutionality, double construction rule

[23] Separation of Church and State, State subsidisation and recognition of churches, secular nature, etc

[24] Prohibition of punishment without proper legal base

[25] Only where not applied as a fundamental right

Also refers to the principle of non-discrimination on the basis of nationality as it is applied in Community law

[26] For example nomination of members of the government, chairing of Cabinet sessions, countersigning of laws

[27] For example presidential messages, requests for further debating of a law, right of legislative veto, dissolution

[28] For example the granting of pardons

[29] Bicameral, monocameral, special competence of each assembly, etc

[30] Including specialised powers of each legislative body

[31] For example age, nationality, residence

[32] "Mandat représentatif/impératif" – representative mandate/system under which the a member of parliament's right to represent electors depends on compliance with their instructions

[33] Presidency, bureau, sections, committees, etc

[34] Including the convening, duration, publicity and agenda of sessions

[35] Including their creation, composition and terms of reference

[36] State budgetary contribution, other sources, etc

[37] For example incompatibilities, parliamentary immunity, exemption from ~~jurisdiction~~ **prosecution** and others

[38] All these keywords apply equally to bodies of local self-government

[39] Derived directly from the constitution

[40] Local authorities

[41] The vesting of administrative competence in public law bodies independent of public authorities, but controlled by them

[42] Civil servants, administrators, etc

[43] Positive and negative conflicts

[44] Comprises the Court of auditors in so far as it exercises jurisdictional power

[45] Eg ~~Court of Auditors~~ **Auditor-General**

[46] Ombudsman, etc

[47] Eg Court of Auditors

[48] Open-ended or finite

[49] If applied in combination with another fundamental right

[50] The question of "Drittwirkung"

[51] Used independently from other rights

[52] Here, the term "national" is used to designate ethnic origin

[53] Discrimination in particular between married and single persons

[54] This keyword also covers "Personal liberty" It includes for example identity checking, personal search and administrative arrest Detention pending trial is treated under "Procedural safeguards - Detention pending trial"

[55] Including the right of access to a tribunal established by law

[56] This keyword covers the right to a jurisdictional appeal

[57] Audiatur et altera pars - adversarial principle

[58] Covers freedom of religion as an individual right Its collective aspects are included under the keyword "Freedom of worship" below

[59] This keyword also includes the right to freely communicate information

[60] Militia, conscientious objection, etc

[61] Aspects of the use of names are included either here or under "Right to private life"

[62] This keyword also covers "Freedom of work"

[63] Rights applicable to specific groups of persons