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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

Systematic Thesaurus

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¹ This chapter – as the Systematic Thesaurus in general - should be used restrictively, as the keywords in it should only be used if a relevant question is raised. This chapter is thus not used to establish statistical data; rather, the Bulletin reader or user of the CODICES database should only find decisions under this chapter when the subject of the keyword is an issue in the case.

² Constitutional Court or equivalent body (constitutional tribunal or council, supreme court etc).

³ E.g. Rules of procedure.

⁴ E.g. Age, education, experience, seniority, moral character, citizenship.

⁵ Including the conditions and manner of such appointment (election, nomination etc).

⁶ Including the conditions and manner of such appointment (election, nomination etc).

⁷ Vice-presidents, presidents of chambers or of sections etc.

⁸ E.g. State Counsel, prosecutors etc.

⁹ (Deputy) Registrars, Secretaries General, legal advisers, assistants, auditors, researchers etc.

¹⁰ E.g. assessors, office members.

¹¹ (Deputy) Registrars, Secretaries General, legal advisers, assistants, researchers etc.

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¹² Including questions on the interim exercise of the functions of the Head of State.

¹³ Referrals of preliminary questions in particular.

¹⁴ Enactment required by law to be reviewed by the Court.

¹⁵ Review *ultra petita*.

¹⁶ Horizontal distribution of powers.

¹⁷ Vertical distribution of powers, particularly in respect of states of a federal or regionalised nature.

¹⁸ Decentralised authorities (municipalities, provinces etc).

- 1.3.4.5.6 Referenda and other consultations¹⁹
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 - 1.3.5.13 Administrative acts
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 - 1.3.5.15 Failure to act or to pass legislation²⁸

1.4 Procedure

1.4.1 General characteristics

¹⁹ This keyword concerns questions of jurisdiction relating to the procedure and results of referenda and other consultations. For questions other than jurisdiction see 4.9.2.1.

²⁰ This keyword concerns decisions preceding the referendum including its admissibility.

²¹ 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 1.3.4.3).

²² As understood in private international law.

²³ Including constitutional laws.

²⁴ For example organic laws.

²⁵ Local authorities, municipalities, provinces, departments etc.

²⁶ Or: functional decentralisation (public bodies exercising delegated powers).

²⁷ Political questions.

²⁸ Unconstitutionality by omission.

- 1.4.2 Summary procedure
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 - 1.4.3.1 Ordinary time-limit
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²⁹ For the withdrawal of proceedings, see also 1.4.10.4.

³⁰ Pleadings, final submissions, notes etc.

³¹ May be used in combination with Chapter 1.2 Types of claim.

³² For the withdrawal of the originating document, see also 1.4.5.

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- 1.4.10.6.2 Challenge at the instance of a party
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 - 1.4.11 Hearing
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- 1.6 Effects
 - 1.6.1 Scope
 - 1.6.2 Determination of effects by the court
 - 1.6.3 Effect *erga omnes*
 - 1.6.3.1 *Stare decisis*

³³ Comprises court fees, postage costs, advance of expenses and lawyers' fees.

³⁴ For questions of constitutionality dependent on a specified interpretation, use 2.3.2.

- 1.6.4 Effect *inter partes*
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2 SOURCES OF CONSTITUTIONAL LAW

- 2.1 Categories³⁵
 - 2.1.1 Written rules
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 - 2.1.1.1.1 Constitution
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 - 2.1.1.2 National rules from other countries
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 - 2.1.1.4.2 Universal Declaration of Human Rights of 1948
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 - 2.1.1.4.4 European Convention on Human Rights of 1950³⁷
 - 2.1.1.4.5 Geneva Convention on the Status of Refugees of 1951
 - 2.1.1.4.6 European Social Charter of 1961
 - 2.1.1.4.7 International Covenant on Civil and Political Rights of 1966
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 - 2.1.1.4.9 Vienna Convention on the Law of Treaties of 1969
 - 2.1.1.4.10 American Convention on Human Rights of 1969
 - 2.1.1.4.11 African Charter on Human and Peoples' Rights of 1981
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 - 2.1.2.1 Constitutional custom
 - 2.1.2.2 General principles of law
 - 2.1.2.3 Natural law
 - 2.1.3 Case-law

³⁵ Only for issues concerning applicability and not simple application.

³⁶ 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).

³⁷ Including its Protocols.

- 2.1.3.1 Domestic case-law
- 2.1.3.2 International case-law
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 - 2.2.1.6.1 Primary Community legislation and constitutions
 - 2.2.1.6.2 Primary Community legislation and domestic non-constitutional legal instruments
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 - 2.2.1.6.4 Secondary Community legislation and domestic non-constitutional instruments
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 - 2.2.3 Hierarchy between sources of Community law
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 - 2.3.2 Concept of constitutionality dependent on a specified interpretation³⁸
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 - 2.3.4 Interpretation by analogy
 - 2.3.5 Logical interpretation
 - 2.3.6 Historical interpretation
 - 2.3.7 Literal interpretation
 - 2.3.8 Systematic interpretation
 - 2.3.9 Teleological interpretation

3 GENERAL PRINCIPLES

- 3.1 Sovereignty
- 3.2 Republic/Monarchy
- 3.3 Democracy
 - 3.3.1 Representative democracy
 - 3.3.2 Direct democracy
 - 3.3.3 Pluralist democracy³⁹
- 3.4 Separation of powers

³⁸ Presumption of constitutionality, double construction rule.

³⁹ Including the principle of a multi-party system.

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- 3.5 Social State⁴⁰
 - 3.6 Structure of the State⁴¹
 - 3.6.1 Unitary State
 - 3.6.2 Regional State
 - 3.6.3 Federal State
 - 3.7 Relations between the State and bodies of a religious or ideological nature⁴²
 - 3.8 Territorial principles
 - 3.8.1 Indivisibility of the territory
 - 3.9 Rule of law
 - 3.10 Certainty of the law⁴³
 - 3.11 Vested and/or acquired rights
 - 3.12 Clarity and precision of legal provisions
 - 3.13 Legality⁴⁴
 - 3.14 *Nullum crimen, nulla poena sine lege*⁴⁵
 - 3.15 Publication of laws
 - 3.15.1 Ignorance of the law is no excuse
 - 3.15.2 Linguistic aspects
 - 3.16 Proportionality
 - 3.17 Weighing of interests
 - 3.18 General interest⁴⁶
 - 3.19 Margin of appreciation
 - 3.20 Reasonableness
 - 3.21 Equality⁴⁷
 - 3.22 Prohibition of arbitrariness
 - 3.23 Equity
 - 3.24 Loyalty to the State⁴⁸
 - 3.25 Market economy⁴⁹
 - 3.26 Principles of Community law
 - 3.26.1 Fundamental principles of the Common Market
 - 3.26.2 Direct effect⁵⁰
 - 3.26.3 Genuine co-operation between the institutions and the member states

⁴⁰ Includes the principle of social justice.

⁴¹ See also 4.8.

⁴² Separation of Church and State, State subsidisation and recognition of churches, secular nature etc.

⁴³ Including maintaining confidence and legitimate expectations.

⁴⁴ Principle according to which sub-statutory acts must be based on and in conformity with the law.

⁴⁵ Prohibition of punishment without proper legal base.

⁴⁶ Including compelling public interest.

⁴⁷ Only where not applied as a fundamental right (e.g. between state authorities, municipalities etc.).

⁴⁸ Including questions of treason/high crimes.

⁴⁹ Including prohibition on monopolies.

⁵⁰ For the principle of primacy of Community law, see 2.2.1.6.

4 INSTITUTIONS

- 4.1 Constituent assembly or equivalent body⁵¹
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 - 4.2.3 National anthem
 - 4.2.4 National emblem
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 - 4.4.1.2 Relations with the executive powers⁵³
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 - 4.4.4.1.1.2 Civil liability
 - 4.4.4.1.1.3 Criminal liability
 - 4.4.4.1.2 Political responsibility
- 4.5 Legislative bodies⁵⁵

⁵¹ Including the body responsible for revising or amending the Constitution.

⁵² For example presidential messages, requests for further debating of a law, right of legislative veto, dissolution.

⁵³ For example nomination of members of the government, chairing of Cabinet sessions, countersigning.

⁵⁴ For example the granting of pardons.

⁵⁵ For regional and local authorities see chapter 4.8.

- 4.5.1 Structure⁵⁶
- 4.5.2 Powers⁵⁷
 - 4.5.2.1 Competences with respect to international agreements
 - 4.5.2.2 Powers of enquiry⁵⁸
 - 4.5.2.3 Delegation to another legislative body⁵⁹
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- 4.5.3 Composition
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- 4.5.4 Organisation⁶²
 - 4.5.4.1 Rules of procedure
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 - 4.5.4.3 Sessions⁶³
 - 4.5.4.4 Committees⁶⁴
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- 4.5.11 Status of members of legislative bodies⁶⁷

4.6 Executive bodies⁶⁸

⁵⁶ Bicameral, monocalameral, special competence of each assembly, etc.

⁵⁷ Including specialised powers of each legislative body and reserved powers of the legislature.

⁵⁸ In particular commissions of enquiry.

⁵⁹ For delegation of powers to an executive body, see keyword 4.6.3.2.

⁶⁰ Obligation on the legislative body to use the full scope of its powers.

⁶¹ Representative/imperative mandates.

⁶² Presidency, bureau, sections, committees etc.

⁶³ Including the convening, duration, publicity and agenda of sessions.

⁶⁴ Including their creation, composition and terms of reference.

⁶⁵ State budgetary contribution, other sources etc.

⁶⁶ For the publication of laws, see 3.15.

⁶⁷ For example incompatibilities arising during the term of office, parliamentary immunity, exemption from prosecution and others. For questions of eligibility see 4.9.5.

⁶⁸ For local authorities see 4.8.

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- 4.6.1 Hierarchy
 - 4.6.2 Powers
 - 4.6.3 Application of laws
 - 4.6.3.1 Autonomous rule-making powers⁶⁹
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 - 4.7.4.1.6 Status
 - 4.7.4.1.6.1 Incompatibilities

⁶⁹ Derived directly from the constitution.

⁷⁰ See also 4.8.

⁷¹ The vesting of administrative competence in public law bodies having their own independent organisational structure, independent of public authorities, but controlled by them. For other administrative bodies, see also 4.6.7 and 4.13.

⁷² Civil servants, administrators etc.

⁷³ Practice aiming at removing from civil service persons formerly involved with a totalitarian regime.

⁷⁴ Other than the body delivering the decision summarised here.

⁷⁵ Positive and negative conflicts.

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- 4.7.4.1.6.2 Discipline
 - 4.7.4.1.6.3 Irremovability
 - 4.7.4.2 Officers of the court
 - 4.7.4.3 Prosecutors / State counsel⁷⁶
 - 4.7.4.3.1 Powers
 - 4.7.4.3.2 Appointment
 - 4.7.4.3.3 Election
 - 4.7.4.3.4 Term of office
 - 4.7.4.3.5 End of office
 - 4.7.4.3.6 Status
 - 4.7.4.4 Languages
 - 4.7.4.5 Registry
 - 4.7.4.6 Budget
 - 4.7.5 Supreme Judicial Council or equivalent body⁷⁷
 - 4.7.6 Relations with bodies of international jurisdiction
 - 4.7.7 Supreme court
 - 4.7.8 Ordinary courts
 - 4.7.8.1 Civil courts
 - 4.7.8.2 Criminal courts
 - 4.7.9 Administrative courts
 - 4.7.10 Financial courts⁷⁸
 - 4.7.11 Military courts
 - 4.7.12 Special courts
 - 4.7.13 Other courts
 - 4.7.14 Arbitration
 - 4.7.15 Legal assistance and representation of parties
 - 4.7.15.1 The Bar
 - 4.7.15.1.1 Organisation
 - 4.7.15.1.2 Powers of ruling bodies
 - 4.7.15.1.3 Role of members of the Bar
 - 4.7.15.1.4 Status of members of the Bar
 - 4.7.15.1.5 Discipline
 - 4.7.15.2 Assistance other than by the Bar
 - 4.7.15.2.1 Legal advisers
 - 4.7.15.2.2 Legal assistance bodies
 - 4.7.16 Liability
 - 4.7.16.1 Liability of the State
 - 4.7.16.2 Liability of judges
 - 4.8 Federalism, regionalism and local self-government
 - 4.8.1 Federal entities⁷⁹
 - 4.8.2 Regions and provinces
 - 4.8.3 Municipalities⁸⁰
 - 4.8.4 Basic principles
 - 4.8.4.1 Autonomy
 - 4.8.4.2 Subsidiarity
 - 4.8.5 Definition of geographical boundaries
 - 4.8.6 Institutional aspects
 - 4.8.6.1 Deliberative assembly

⁷⁶ Notwithstanding the question to which to branch of state power the prosecutor belongs.

⁷⁷ For example, Judicial Service Commission, *Conseil supérieur de la magistrature*.

⁷⁸ Comprises the Court of Auditors in so far as it exercises judicial power.

⁷⁹ See also 3.6.

⁸⁰ And other units of local self-government.

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- 4.8.6.1.1 Status of members
 - 4.8.6.2 Executive
 - 4.8.6.3 Courts
 - 4.8.7 Budgetary and financial aspects
 - 4.8.7.1 Finance
 - 4.8.7.2 Arrangements for distributing the financial resources of the State
 - 4.8.7.3 Budget
 - 4.8.7.4 Mutual support arrangements
 - 4.8.8 Distribution of powers
 - 4.8.8.1 Principles and methods
 - 4.8.8.2 Implementation
 - 4.8.8.2.1 Distribution *ratione materiae*
 - 4.8.8.2.2 Distribution *ratione loci*
 - 4.8.8.2.3 Distribution *ratione temporis*
 - 4.8.8.2.4 Distribution *ratione personae*
 - 4.8.8.3 Supervision
 - 4.8.8.4 Co-operation
 - 4.8.8.5 International relations
 - 4.8.8.5.1 Conclusion of treaties
 - 4.8.8.5.2 Participation in international organisations or their organs
- 4.9 Elections and instruments of direct democracy⁸¹
 - 4.9.1 Electoral Commission⁸²
 - 4.9.2 Referenda and other instruments of direct democracy
 - 4.9.2.1 Admissibility⁸³
 - 4.9.3 Electoral system⁸⁴
 - 4.9.4 Constituencies
 - 4.9.5 Eligibility⁸⁵
 - 4.9.6 Representation of minorities
 - 4.9.7 Preliminary procedures
 - 4.9.7.1 Electoral rolls
 - 4.9.7.2 Voter registration card
 - 4.9.7.3 Registration of parties and candidates⁸⁶
 - 4.9.7.4 Ballot papers⁸⁷
 - 4.9.8 Electoral campaign and campaign material⁸⁸
 - 4.9.8.1 Financing
 - 4.9.8.2 Campaign expenses
 - 4.9.8.3 Protection of party logos
 - 4.9.9 Voting procedures
 - 4.9.9.1 Polling stations
 - 4.9.9.2 Polling booths
 - 4.9.9.3 Voting⁸⁹
 - 4.9.9.4 Identity checks on voters
 - 4.9.9.5 Record of persons having voted⁹⁰

⁸¹ See also keywords 5.3.41 and 5.2.1.4.

⁸² Organs of control and supervision.

⁸³ For questions of jurisdiction see keyword 1.3.4.6.

⁸⁴ Proportional, majority, preferential, single-member constituencies, etc.

⁸⁵ For aspects related to fundamental rights, see 5.3.41.2.

⁸⁶ For the creation of political parties, see 4.5.10.1.

⁸⁷ E.g. Names of parties, order of presentation, logo, emblem or question in a referendum.

⁸⁸ Tracts, letters, press, radio and television, posters, nominations etc.

⁸⁹ Impartiality of electoral authorities, incidents, disturbances.

⁹⁰ E.g. signatures on electoral rolls, stamps, crossing out of names on list.

- 4.9.9.6 Casting of votes⁹¹
- 4.9.9.7 Method of voting⁹²
- 4.9.9.8 Counting of votes
- 4.9.9.9 Electoral reports
- 4.9.9.10 Minimum participation rate required
- 4.9.9.11 Announcement of results
- 4.10 Public finances
 - 4.10.1 Principles
 - 4.10.2 Budget
 - 4.10.3 Accounts
 - 4.10.4 Currency
 - 4.10.5 Central bank
 - 4.10.6 Auditing bodies⁹³
 - 4.10.7 Taxation
 - 4.10.7.1 Principles
 - 4.10.8 State assets
 - 4.10.8.1 Privatisation
- 4.11 Armed forces, police forces and secret services
 - 4.11.1 Armed forces
 - 4.11.2 Police forces
 - 4.11.3 Secret services
- 4.12 Ombudsman⁹⁴
 - 4.12.1 Appointment
 - 4.12.2 Guarantees of independence
 - 4.12.2.1 Term of office
 - 4.12.2.2 Incompatibilities
 - 4.12.2.3 Immunities
 - 4.12.2.4 Financial independence
 - 4.12.3 Powers
 - 4.12.4 Organisation
 - 4.12.5 Relations with the Head of State
 - 4.12.6 Relations with the legislature
 - 4.12.7 Relations with the executive
 - 4.12.8 Relations with auditing bodies⁹⁵
 - 4.12.9 Relations with judicial bodies
 - 4.12.10 Relations with federal or regional authorities
- 4.13 Independent administrative authorities⁹⁶
- 4.14 Activities and duties assigned to the State by the Constitution⁹⁷
- 4.15 Exercise of public functions by private bodies
- 4.16 International relations
 - 4.16.1 Transfer of powers to international institutions
- 4.17 European Union

⁹¹ E.g. in person, proxy vote, postal vote, electronic vote.

⁹² E.g. *Panachage*, voting for whole list or part of list, blank votes.

⁹³ E.g. Auditor-General.

⁹⁴ Parliamentary Commissioner, Public Defender, Human Rights Commission etc.

⁹⁵ E.g. Court of Auditors.

⁹⁶ The vesting of administrative competence in public law bodies situated outside the traditional administrative hierarchy. See also 4.6.8.

⁹⁷ *Staatszielbestimmungen*.

- 4.17.1 Institutional structure
 - 4.17.1.1 European Parliament
 - 4.17.1.2 Council
 - 4.17.1.3 Commission
 - 4.17.1.4 Court of Justice of the European Communities⁹⁸
- 4.17.2 Distribution of powers between Community and member states
- 4.17.3 Distribution of powers between institutions of the Community
- 4.17.4 Legislative procedure
- 4.18 State of emergency and emergency powers⁹⁹

5 FUNDAMENTAL RIGHTS¹⁰⁰

- 5.1 General questions
 - 5.1.1 Entitlement to rights
 - 5.1.1.1 Nationals
 - 5.1.1.1.1 Nationals living abroad
 - 5.1.1.2 Citizens of the European Union and non-citizens with similar status
 - 5.1.1.3 Foreigners
 - 5.1.1.3.1 Refugees and applicants for refugee status
 - 5.1.1.4 Natural persons
 - 5.1.1.4.1 Minors¹⁰¹
 - 5.1.1.4.2 Incapacitated
 - 5.1.1.4.3 Prisoners
 - 5.1.1.4.4 Military personnel
 - 5.1.1.5 Legal persons
 - 5.1.1.5.1 Private law
 - 5.1.1.5.2 Public law
 - 5.1.2 Horizontal / Vertical effects
 - 5.1.3 Limits and restrictions¹⁰²
 - 5.1.3.1 Non-derogable rights
 - 5.1.3.2 General/special clause of limitation
 - 5.1.3.3 Subsequent review of limitation
 - 5.1.4 Emergency situations¹⁰³
- 5.2 Equality
 - 5.2.1 Scope of application
 - 5.2.1.1 Public burdens¹⁰⁴
 - 5.2.1.2 Employment
 - 5.2.1.2.1 In private law
 - 5.2.1.2.2 In public law
 - 5.2.1.3 Social security
 - 5.2.1.4 Elections
 - 5.2.2 Criteria of distinction
 - 5.2.2.1 Gender
 - 5.2.2.2 Race

⁹⁸ Institutional aspects only: questions of procedure, jurisdiction, composition etc are dealt with under the keywords of Chapter 1.

⁹⁹ Including state of war, martial law, declared natural disasters etc; for human rights aspects, see also keyword 5.1.3.1.

¹⁰⁰ Positive and negative aspects.

¹⁰¹ For rights of the child, see 5.3.44.

¹⁰² The criteria of the limitation of human rights (legality, legitimate purpose/general interest, proportionality) are indexed in chapter 3.

¹⁰³ Includes questions of the suspension of rights. See also 4.18.

¹⁰⁴ Taxes and other duties towards the state.

- 5.2.2.3 National or ethnic origin¹⁰⁵
- 5.2.2.4 Citizenship or nationality
- 5.2.2.5 Social origin
- 5.2.2.6 Religion
- 5.2.2.7 Age
- 5.2.2.8 Physical or mental disability
- 5.2.2.9 Political opinions or affiliation
- 5.2.2.10 Language
- 5.2.2.11 Sexual orientation
- 5.2.2.12 Civil status¹⁰⁶
- 5.2.2.13 Differentiation *ratione temporis*
- 5.2.3 Affirmative action
- 5.3 Civil and political rights
 - 5.3.1 Right to dignity
 - 5.3.2 Right to life
 - 5.3.3 Prohibition of torture and inhuman and degrading treatment
 - 5.3.4 Right to physical and psychological integrity
 - 5.3.4.1 Scientific and medical treatment and experiments
 - 5.3.5 Individual liberty¹⁰⁷
 - 5.3.5.1 Deprivation of liberty
 - 5.3.5.1.1 Arrest¹⁰⁸
 - 5.3.5.1.2 Non-penal measures
 - 5.3.5.1.3 Detention pending trial
 - 5.3.5.1.4 Conditional release
 - 5.3.5.2 Prohibition of forced or compulsory labour
 - 5.3.6 Freedom of movement¹⁰⁹
 - 5.3.7 Right to emigrate
 - 5.3.8 Right to citizenship or nationality
 - 5.3.9 Right of residence¹¹⁰
 - 5.3.10 Rights of domicile and establishment
 - 5.3.11 Right of asylum
 - 5.3.12 Security of the person
 - 5.3.13 Procedural safeguards, rights of the defence and fair trial
 - 5.3.13.1 Scope
 - 5.3.13.1.1 Constitutional proceedings
 - 5.3.13.1.2 Civil proceedings
 - 5.3.13.1.3 Criminal proceedings
 - 5.3.13.1.4 Litigious administrative proceedings
 - 5.3.13.1.5 Non-litigious administrative proceedings
 - 5.3.13.2 Effective remedy
 - 5.3.13.3 Access to courts¹¹¹
 - 5.3.13.3.1 *Habeas corpus*
 - 5.3.13.4 Double degree of jurisdiction¹¹²
 - 5.3.13.5 Suspensive effect of appeal

¹⁰⁵ Here, the term “national” is used to designate ethnic origin.

¹⁰⁶ For example, discrimination between married and single persons.

¹⁰⁷ This keyword also covers “Personal liberty” It includes for example identity checking, personal search and administrative arrest.

¹⁰⁸ Detention by police.

¹⁰⁹ Including questions related to the granting of passports or other travel documents.

¹¹⁰ May include questions of expulsion and extradition.

¹¹¹ Including the right of access to a tribunal established by law; for questions related to the establishment of extraordinary courts, see also keyword 4.7.12.

¹¹² This keyword covers the right of appeal to a court.

- 5.3.13.6 Right to a hearing
- 5.3.13.7 Right to participate in the administration of justice¹¹³
- 5.3.13.8 Right of access to the file
- 5.3.13.9 Public hearings
- 5.3.13.10 Trial by jury
- 5.3.13.11 Public judgments
- 5.3.13.12 Right to be informed about the decision
- 5.3.13.13 Trial/decision within reasonable time
- 5.3.13.14 Independence¹¹⁴
- 5.3.13.15 Impartiality
- 5.3.13.16 Prohibition of *reformatio in peius*
- 5.3.13.17 Rules of evidence
- 5.3.13.18 Reasoning
- 5.3.13.19 Equality of arms
- 5.3.13.20 Adversarial principle
- 5.3.13.21 Languages
- 5.3.13.22 Presumption of innocence
- 5.3.13.23 Right to remain silent
 - 5.3.13.23.1 Right not to incriminate oneself
 - 5.3.13.23.2 Right not to testify against spouse/close family
- 5.3.13.24 Right to be informed about the reasons of detention
- 5.3.13.25 Right to be informed about the charges
- 5.3.13.26 Right to have adequate time and facilities for the preparation of the case
- 5.3.13.27 Right to counsel
 - 5.3.13.27.1 Right to paid legal assistance
- 5.3.13.28 Right to examine witnesses
- 5.3.14 *Ne bis in idem*
- 5.3.15 Rights of victims of crime
- 5.3.16 Principle of the application of the more lenient law
- 5.3.17 Right to compensation for damage caused by the State
- 5.3.18 Freedom of conscience¹¹⁵
- 5.3.19 Freedom of opinion
- 5.3.20 Freedom of worship
- 5.3.21 Freedom of expression¹¹⁶
- 5.3.22 Freedom of the written press
- 5.3.23 Rights in respect of the audiovisual media and other means of mass communication
- 5.3.24 Right to information
- 5.3.25 Right to administrative transparency
 - 5.3.25.1 Right of access to administrative documents
- 5.3.26 National service¹¹⁷
- 5.3.27 Freedom of association
- 5.3.28 Freedom of assembly
- 5.3.29 Right to participate in public affairs
 - 5.3.29.1 Right to participate in political activity
- 5.3.30 Right of resistance
- 5.3.31 Right to respect for one's honour and reputation
- 5.3.32 Right to private life

¹¹³ Including the right to be present at hearing.

¹¹⁴ Including challenging of a judge.

¹¹⁵ Covers freedom of religion as an individual right Its collective aspects are included under the keyword "Freedom of worship" below.

¹¹⁶ This keyword also includes the right to freely communicate information.

¹¹⁷ Militia, conscientious objection etc.

- 5.3.32.1 Protection of personal data
- 5.3.33 Right to family life¹¹⁸
 - 5.3.33.1 Descent
 - 5.3.33.2 Succession
- 5.3.34 Right to marriage
- 5.3.35 Inviolability of the home
- 5.3.36 Inviolability of communications
 - 5.3.36.1 Correspondence
 - 5.3.36.2 Telephonic communications
 - 5.3.36.3 Electronic communications
- 5.3.37 Right of petition
- 5.3.38 Non-retrospective effect of law
 - 5.3.38.1 Criminal law
 - 5.3.38.2 Civil law
 - 5.3.38.3 Social law
 - 5.3.38.4 Taxation law
- 5.3.39 Right to property¹¹⁹
 - 5.3.39.1 Expropriation
 - 5.3.39.2 Nationalisation
 - 5.3.39.3 Other limitations
 - 5.3.39.4 Privatisation
- 5.3.40 Linguistic freedom
- 5.3.41 Electoral rights
 - 5.3.41.1 Right to vote
 - 5.3.41.2 Right to stand for election¹²⁰
 - 5.3.41.3 Freedom of voting
 - 5.3.41.4 Secret ballot
- 5.3.42 Rights in respect of taxation
- 5.3.43 Right to self fulfilment
- 5.3.44 Rights of the child
- 5.3.45 Protection of minorities and persons belonging to minorities

5.4 Economic, social and cultural rights

- 5.4.1 Freedom to teach
- 5.4.2 Right to education
- 5.4.3 Right to work
- 5.4.4 Freedom to choose one's profession¹²¹
- 5.4.5 Freedom to work for remuneration
- 5.4.6 Commercial and industrial freedom
- 5.4.7 Consumer protection
- 5.4.8 Freedom of contract
- 5.4.9 Right of access to the public service
- 5.4.10 Right to strike
- 5.4.11 Freedom of trade unions¹²²
- 5.4.12 Right to intellectual property
- 5.4.13 Right to housing
- 5.4.14 Right to social security
- 5.4.15 Right to unemployment benefits

¹¹⁸ Aspects of the use of names are included either here or under "Right to private life".

¹¹⁹ Including compensation issues.

¹²⁰ For institutional aspects, see 4.9.5.

¹²¹ This keyword also covers "Freedom of work".

¹²² Includes rights of the individual with respect to trade unions, rights of trade unions and the right to conclude collective labour agreements.

- 5.4.16 Right to a pension
- 5.4.17 Right to just and decent working conditions
- 5.4.18 Right to a sufficient standard of living
- 5.4.19 Right to health
- 5.4.20 Right to culture
- 5.4.21 Scientific freedom
- 5.4.22 Artistic freedom

5.5 Collective rights

- 5.5.1 Right to the environment
- 5.5.2 Right to development
- 5.5.3 Right to peace
- 5.5.4 Right to self-determination
- 5.5.5 Rights of aboriginal peoples, ancestral rights