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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

(VENICE COMMISSION)

**18th Meeting of the
Sub-Commission on Constitutional Justice
with the Liaison Officers from
Constitutional Courts and other equivalent bodies**

(Košice, 4 May 2001)

DRAFT ANNOTATED AGENDA (revised)

Opening speeches: by the Lord Mayor of Košice
by Mr Mazak, President of the Constitutional Court of Slovakia

1. Adoption of the Agenda

2. Communication by the Secretariat

The Secretariat will inform the participants about new appointments of liaison officers.

3. Updating of data on the participating courts

The liaison officers will be invited to inform the Secretariat of any changes to data contained in the list of constitutional courts (CDL-JU (2001) 1), the list of liaison officers (CDL (2001) 2) and the list of web sites of constitutional courts and equivalent bodies (CDL-JU (2001) 3).

4. Tasks of the liaison officers

The participants will be invited to approve the revised model letter to new liaison officers, which summarises their tasks (CDL-JU (2001) 4).

5. Co-operation of Constitutional Courts on the Internet: Venice Forum

The Secretariat will present document CDL-JU (2001) 13 on requests via the Venice Forum and replies given by other liaison officers.

6. Co-operation activities

6.a Series of seminars with Constitutional Courts (CoCoSem)

The Secretariat will inform the participants about seminars held since the last meeting (CDL-JU (2001) 17) and about future seminar projects.

6.b Co-operation with the Association of Constitutional Courts using the French Language (ACCPUF)

Mme Remy-Granger, the Secretary General of ACCPUF will inform the participants about the request by the ACCPUF to include the case-law of the courts of the association into the database CODICES in order to enable research in a wider geographical area. The joint database is to enrich the resources available for all participating courts.

The Secretariat will present a preliminary version of CODICES integrating the case-law of ACCPUF.

For the establishment of such a co-operation an amendment to the agreement of Co-operation between the Venice Commission and ACCPUF, signed in Vaduz on 30 April 1999 (CDL-JU (1999) 8), would be required (project see document CDL-JU (2001) 15). The participants are invited to discuss the proposal for co-operation with a view to its adoption.

6.c Co-operation with Constitutional Courts in Southern Africa

The Secretariat will inform the participants about a project financed by the Swiss government to assist Constitutional and Supreme Courts of the Southern African Region.

6.d Co-operation with the Universal Enclopaedia of Human Rights

The participants will be informed about the possibility of co-operation with the Universal Encyclopaedia of Human Rights, which is creating a database containing constitutions and texts on the protection of human rights on the international level.

7. Production of documents presenting participating Courts

The participants will be informed about the possibility of producing documents presenting their courts, which are composed of the description (as published in the special Bulletin) and the précis contained in the database CODICES. Such documents have been produced by the Secretariat for courts applying for membership with the Conference of the European Constitutional Courts at the preparatory Conference on 20-21 October 2000 (CDL-JU (2000) 32-39).

8. Presentation of the restricted web site of the Venice Commission for the liaison officers

The Secretariat will inform the participants about the restricted web site of the Venice Commission for the liaison officers <http://venice.coe.int/ju>. Usernames and passwords will be the same as for access to the CODICES database on the Internet. In addition to the contents available on the public site of the Commission (<http://venice.coe.int>) this restricted site contains information about the current meeting, the list of courts and liaison officers and CDL-JU documents. Both the public and restricted sites contain the list of documents available at the library of the Centre on Constitutional Justice (see also point 13 below).

9. Publication of the Bulletin on Constitutional Case-Law

9.a Publication of the regular Bulletin

Bulletin 2000/2 will be available to the participants. Bulletin 2000/3 is being prepared.

The Secretariat will highlight elements in the guidelines for the presentation of the précis (CDL (2001) 5), which should be taken into account when preparing the précis. The liaison officers will be invited to verify the contents of the list of publications cited in the Bulletin (CDL-JU (2001) 6) and to follow the guidelines for sending contributions to the Secretariat (CDL-JU (2001) 7).

9.b Special Bulletins

The Secretariat will inform the participants about the progress of the Special Bulletin on "The relations between the constitutional courts and the other national courts, including the interference in this area of the action of the European courts", which is being prepared upon request by the Court of Arbitration of Belgium holding the Presidency of Conference of the European Constitutional Courts. The participants are invited to discuss the type of decisions for which précis are to be published in this Bulletin and the understanding of the title in

respect of contributions from supreme courts. The deadline for delivering contributions is the end of May 2001.

A preliminary version of issue 6 of the series of Special Bulletins on Basic Texts (CDL-JU (2001) 8) will be presented.

The Secretariat will report on the advancement of the inclusion of the leading cases of all participating courts into the database CODICES.

The Secretariat will present the Russian translation of the Special Bulletin on the leading cases of the European Court of Human Rights, which has been published in two volumes.

9.c Use of the data input mask

The Secretariat will present version 1.5 of the data input mask, which *inter alia* resolves previous problems entering the dates of decisions. This mask is to be distributed to the liaison officers on CD-ROM.

Following a request by the liaison officers at the previous meeting, the Secretariat will inform the participants about an on-line data input mask, which is to be available on the restricted web site of the Venice Commission for the liaison officers (see point 8 above).

10. Publication of CODICES

10.a Presentation of a new version of CODICES

The Secretariat will present version 3.3 2000/2 of CODICES. Since the last meeting the following elements have been changed:

- Links from referenced articles of the Constitutions back to the précis where they are cited (thus providing the case-law concerning a certain article of a constitution)
- Links from précis which have been published to all those précis where they have been referred to later (thus providing the evolution of case-law on a certain issue)
- Query links from the Systematic Thesaurus to précis and articles of constitutions have been identified more clearly.

A more user friendly "getting started" user's guide for CODICES (CD-ROM and Internet versions) will be presented (CDL-JU (2001) 9 and 10).

The merger of the French and English versions of CODICES in order to allow for comparative searches in the two linguistic versions is being prepared by the Secretariat.

The Secretariat will inform the participants about the server for CODICES on the Internet (<http://codices.coe.int>).

10.b Inclusion of full texts of decisions into the CODICES database

The liaison officers will be invited to provide or to continue to provide full texts of decisions in electronic form (e-mail diskette). Document CDL-JU (2001) 11 shows updated statistics on the available full texts sorted by language and by country.

10.c Indexing of constitutions in CODICES

The Secretariat will inform the participants about the progress of the indexation of the constitutions article by article (see document CDL-JU (2001) 12).

10.d Updating of Constitutions, Laws on the Courts and Descriptions within CODICES

The liaison officers will be invited to inform the Secretariat of necessary changes in Constitutions, Laws on the Courts and Descriptions.

The Secretariat will inform the participants about a project to translate constitutions to the French language.

11. Pricing of the Bulletin and CODICES

Following requests by liaison officers at the previous meeting to provide access to the database CODICES via the Internet free of charge, the participants will be invited to express their opinion on this issue. Such a request concerning free access to CODICES via the Internet would necessarily have consequences for the price of the CD-ROM version, which might have to be lowered. This issue is also linked to the request by the Association of Constitutional Courts using the French Language (ACCPUF) to integrate the case-law of its courts into CODICES (see point 6.b above).

12. Amendments to version 12 of the Systematic Thesaurus

The participants will be invited to approve the proposals for version 13 of the Thesaurus to be made by the Working Group on the Systematic Thesaurus, which is to meet on in Košice on 3 May 2001 (CDL-JU (2001) 14 prov. to be produced after the meeting of the Working Group).

13. Centre on Constitutional Justice

The participants will be informed about the inclusion of a list of documents available at the library of the Centre on Constitutional Justice on the public and restricted web sites of the Venice Commission (CDL-JU (2001) 16)

The liaison officers will be invited to continue to inform the persons responsible for publications in their courts about the constant interest of the Centre to include official digests of the Courts and any other material published by the Courts.

14. Other business

15. Date and place of the next meeting

The next meeting of the Sub-Commission on Constitutional Justice could take place in spring 2002, possibly upon the invitation of one of the participating courts at the seat of the latter.

LIST OF DOCUMENTS

OLD DOCUMENTS

- Last Meeting Report of the Sub-Commission on Const. Justice (Venice) [CDL-JU-PV (2000) 17] [E/F]
- Systematic Thesaurus version 12 [CDL-JU (2000) 26 rev.]
- Bulletin on Constitutional Case-Law 2000/2
- CD-Rom 2000/2
- Description of Courts applying for membership with the Conference of the European Constitutional Courts at the preparatory Conference on 20-21 October 2000 (ALB, ARM, AZE, BiH, GEO, MDA, LTV, UKR) CDL-JU (2000) 32-39 [E/F]

LIST 2001 OF CDL-JU DOCUMENTS

- 1 List of Constitutional Courts [Bil.]
- 2 List of liaison officers [Bil]
- 3 Internet links to participating courts on the Venice Commission Site [E/F]
- 4 Functions of liaison officers [F/E]
- 5 Guidelines 2001 for the presentation of contributions to the Bulletin [F/E]
- 6 List of publications quoted in the Bulletin [F/E]
- 7 Instructions for sending contributions by e-mail [F/E]
- 8 Special Bulletin – Basic Texts Issue 6 [arc-en-ciel]
- 9 User's Guide for CODICES on CD-Rom [F]
- 10 User's Guide for CODICES on Internet [F]
- 11 Integration of full texts of decisions in CODICES [Bil.]
- 12 Table of indexation of constitutions in CODICES [Bil.]
- 13 Venice Forum [F/E]
- 14 Proposals for amendment of version 12 of the Systematic thesaurus [Bil.]
- 15 Proposals for amendment of the ACCPUF Agreement [F/E]
- 16 List of documents available at the Centre on Constitutional Justice (Internet Site) [Bil.]
- 17 Synopsis of CoCoSem seminars held in 2000 [Eng. only]
- 18 Questionnaire sent by the Belgian Court of Arbitration, Presidency of the 12th Conference of European Constitutional Courts for the Special Bulletin on "The relations between the constitutional courts and the other national courts, including the interference in this area of the action of the European courts" [E/F]
19. Example of alphabetical index including cross-references [E/F]
20. English/French dictionary of keywords of the alphabetical index [E/F]
21. French/English dictionary of keywords of the alphabetical index [F/E]