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Or. Engl.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

**Report of the 9th Meeting of the Sub-Commission
on Constitutional Justice
with the Liaison Officers from Constitutional
Courts and other equivalent bodies**

(Madrid, 28 June 1996)

The Sub-Commission on Constitutional Justice held its 9th meeting with liaison officers from Constitutional Courts and other equivalent bodies in Madrid on 28 June 1996, with Mr Matthew Russell in the Chair. A list of participants will be found in Appendix I.

1. Adoption of the Agenda

The participants adopted the agenda set out in Appendix II.

2. Welcome address by a Representative of the Spanish Constitutional Court

Judge Pedro Cruz Villalón welcomed the participants on behalf of the Spanish Constitutional Court.

3. Communication by the Secretariat

a) Activities of the Venice Commission

Mr Buquicchio informed participants about the activities of the Commission. Moldova and "the former Yugoslav Republic of Macedonia" have joined the Commission recently as full members. The Committee of Ministers of the Council of Europe decided to grant associate member status to Azerbaijan as well as to Bosnia and Herzegovina.

The current activities of the Commission focus on Croatia (role of the Constitutional Court in the protection of minority rights) and Bosnia and Herzegovina (human rights protection mechanisms and compatibility of amendments to the constitutions of the two federated entities

with the Dayton constitution). The Commission has also been asked to organise workshops with the Constitutional Courts of Armenia and Georgia.

The Commission is currently preparing studies on "Nationality and State succession", the "Constitutional foundations of foreign policy" and the "Composition of constitutional courts" (see point 7 below).

b) Publication of the Bulletin

Bulletin 96/1 is currently being prepared. Its publication is envisaged for August 1996.

For the purpose of designating the different parts of the database CODICES, it was necessary to introduce a new term which refers to a summarised judgment as a whole (all 8 zones of a decision published in the *Bulletin*). Following an exchange of views, the participants agreed with the following terms proposed by the Secretariat:

- "précis" in English;
- "décision abrégée" in French.

Participants were reminded to systematically fill in the new zones "h) non-official publications" and "Languages" which had been introduced at the 7th meeting in Lausanne.

The Secretariat informed participants about its recent experience with contributions sent by e-mail. Although this was certainly the quickest way to send messages to Strasbourg, the processing of files received by e-mail has created some problems, especially due the use of encoded files. The Secretariat distributed an information leaflet on the use of e-mail (Appendix III). Liaison officers who are equipped with E-mail facilities are kindly requested to follow those guidelines. For messages which are not urgent (especially full texts of judgments), it seems still preferable to send diskettes until all technical problems related to the use of e-mail have been solved.

The participants held an exchange of views on the preparation of headnotes and summaries for the *Bulletin*. The practice of liaison officers differs, especially in respect of length and style. The participants confirmed in principle the terms agreed upon in document CDL-JU (95) 2rev - Presentation of summaries. The Headnotes should not contain extracts of the full text decision, but a summary of the main legal elements, a *substratum* in the form of full sentences. This information should be general and not contain any reference to the particular facts of the case. A mere enumeration of points raised should find its place in the systematic thesaurus or in the alphabetical index.

With respect to the provisions of the constitution or other legislation, it was agreed that the headnotes should refer to their content (e.g. "freedom of expression"). Their citation (e.g. "Article 3 of the Constitution") may also be added.

The zone "summary" should contain a summary of the decision which briefly describes the main facts of the case, the procedure followed, the decision taken and, if available, information on dissenting opinions. Additional information on the legal reasoning (*ratio decidendi*) behind the decision may be given without however repeating the headnotes.

Following the suggestion made by one of the liaison officers, it was agreed that zone 6 (supplementary information) may be used to indicate the articles referred to in the judgment which is summarised (e.g.: "Legal provisions referred to: Articles 6, 23 and 113 of the Constitution").

Finally, the Secretariat informed participants that it had received a letter from the liaison officer of the US Supreme Court declaring that the court will no longer provide edited summaries according to the guidelines of the *Bulletin*. Only the official headnotes of selected decisions will be sent to Strasbourg.

The official headnotes of the US Supreme Court do not correspond to the guidelines of the *Bulletin* and do not contain any keywords. It was emphasised that the Secretariat was not in a position to prepare on a regular basis the Supreme Court's contributions for the *Bulletin* and the database.

The participants expressed their regret about the Supreme Court's decision. They declared that such a practice would create an unwanted precedent which could not be accepted. The US Supreme Court should be encouraged to continue its cooperation and to follow the guidelines which were agreed upon by all participating courts. The Secretariat was charged with preparing a letter recalling the common position formulated during this meeting.

The participants adopted the terms "précis" in English and "décision abrégée" in French to designate a summarised judgment as a whole.

The participants revised the guidelines on the presentation of summaries contained in document CDL-JU (95) 2rev. Document CDL-JU (96) 14, which is annexed, contains the revised version of the guidelines.

The participants charged the Secretariat with highlighting in the cumulative index tables of the Bulletin the pages referred to in the actual Bulletin.

The participants charged the Secretariat with sending a letter to the US Supreme Court, encouraging the US Supreme Court to continue its cooperation with the Commission and to prepare contributions according to the common guidelines agreed upon by all participating courts.

c) **Special Bulletin**

A provisional version of the first issue of the Special Bulletin containing extracts of constitutions and laws governing the activities of constitutional courts and courts of equivalent jurisdiction was distributed among participants (CDL-JU (96) 13 prov.). Due to the vast amount of text, the publication of this special edition had to be divided into several parts. In the first issue the relevant texts for the Constitutional Courts of Albania, Bulgaria, Croatia, Germany, Portugal, Romania, Russia and Slovenia, as well as for the French Constitutional Council and the Canadian Supreme Court, are reproduced. All information contained in the special edition will also become part of the database *CODICES*.

The legislation concerning the other participating courts will be published in due course. It is expected that one more issue can be published this year covering most of the following countries: Cyprus, Belgium, Czech Republic, Estonia, Finland, Hungary, Ireland, Japan, Lithuania, Netherlands, Poland, Slovakia, Sweden or Turkey.

The new participating courts, in particular "the former Yugoslav Republic of Macedonia" and South Africa, are requested to send to the Secretariat relevant articles of their constitutions and laws on the Constitutional Court.

The participants welcomed the preparation of the first issue of the Special Bulletin containing the basic texts governing the activity of constitutional courts and courts of equivalent jurisdiction. The liaison officers concerned are kindly requested to send their comments to the Secretariat before 26 July 1996. After that date, the first issue will be published as reproduced in document CDL-JU (96) 13 prov.

d) Documentation Centre on Constitutional Justice

Due to the generosity of participating courts, the centre's stock of official digests is steadily increasing (comp. Doc CDL-JU (96) 2). The Secretariat is particularly grateful to the Belgian Court of Arbitration, the Russian Constitutional Court and the Swiss Federal Court (since 1955) which have sent complete sets of their official digests to Strasbourg. The Portuguese Constitutional Court has offered to do so as well.

The Secretariat informed participants that a certain increase in the budget of the Commission will be requested for 1997. Such an increase is justified by the growing number of participating States and activities. There is an urgent need for additional personnel to strengthen in particular the sector of constitutional justice.

4. Report on the contribution of the Venice Commission to the 10th Conference of European Constitutional Courts (Budapest, 6-10 May 1996)

The Conference examined the topics "Freedom of expression with special regard to mass media regulations in the jurisprudence of the Constitutional Courts" and "Separation of powers regarding the Constitutional Court's jurisdiction". Mr Paczolay, who also was the organiser of the Conference, had been the general rapporteur for the second report. The President of the Sub-Commission, Mr Russell, who had presented the work of the Sub-Commission at the Conference (CDL-JU (96) 1) then gave a presentation of the database CODICES. This presentation had aroused vivid interest by the participants of the Conference who were asked to accord added support to the work of the liaison officers. As the Conference has no Secretariat, the Hungarian Presidency had proposed to use the services of the Venice Commission for this purpose. The Conference will decide on this point during its next preparatory meeting in Warsaw in 1997. In this respect, it was proposed that as a first step the Secretariat could collect lists of the presidents, judges and directors / clerks of participating courts.

The participants decided to publish the introductory remarks to the Conference by the President of the Hungarian Constitutional Court, Mr Laszlo Solyom, which refer to the work of the Sub-Commission (CDL (96) 7), in the next issue of the Bulletin.

5. Progress of the Database on Constitutional Case-Law (CODICES)

a. Finalisation of the English version of CODICES

The Secretariat presented the new updated version 1.4 beta of CODICES to the participants. This version differs in the following points from version 1.2 beta that was distributed in Venice in November 1995:

- Inclusion of all Bulletins until 95/3
- Inclusion of a selection of 160 full texts in English, French and other languages (selection necessary due to limited diskette space)
- Specific query templates for précis/thesaurus and full texts
- Inclusion of footnotes of Systematic Thesaurus
- Cross-references in the form of hyperlinks between decisions¹

The final CD-ROM version will also contain the special Bulletins as well as all available full texts. For future versions it could be envisaged to also include texts of constitutions which are available on magnetic storage media. Links between references to Articles of the Constitutions to the text of these Articles could be established.

The diskettes containing the English version 1.4 beta of CODICES were distributed to liaison officers with English as their working language. All liaison officers have already received a printout of the English version in November 1995.

b. Distribution of a preliminary French version of CODICES

The French version 1.4 beta of CODICES was presented to the participants. It has exactly the same structure as the English version and contains a search engine which is equally in French. Liaison officers with French as their working language have been distributed with diskettes containing this version.

Paper versions of the database have been sent out to all liaison officers, who are kindly requested to communicate any comments to the Secretariat.

It was recalled how important it is to submit **information about publications (official and, if possible, also non-official)** of decisions which have already been published in the Bulletin; this information is often not available when the contributions are sent to Strasbourg.

¹ Every reference in one précis to an identification number between brackets (e.g. "[ESP-95-1-002]") of another précis is automatically converted to a link to this précis. Liaison officers may wish to add such references to their future contributions.

c. Distribution of an entry template for the preparation of contributions by the Liaison Officers

The Secretariat presented a preliminary version (1.0 English/French) of the data entry template, which was distributed to participants on diskette. The template facilitates the entry of the précis. It is an evaluation version only, as already the changes in the Thesaurus (see point 6 below) require an updated version of the entry template. It will be updated at least each time the thesaurus is amended and once yearly to reflect new keywords of the alphabetical index that have been used.

The availability of previously used keywords of the alphabetical index in the entry template should not lead to a restrictive use of new keywords. The liaison officers are free to create any new keywords of the alphabetical index they deem pertinent. In order to facilitate access to the précis, some participants invited the liaison officers to attribute more keywords of the alphabetical index.

Version 1.0 of the mask is still relatively slow. Future versions will be made quicker and will include added help facilities².

d. Possibilities of use of CD-ROM/Internet for the dissemination of CODICES

Document CDL-JU (96) 11 set out the different options for the dissemination of CODICES. The Secretariat reported on the establishment of an experimental World Wide Web home-page of the Council of Europe (<http://www.coe.fr>) which could, together with the migration of the computer network of the Council to the Windows NT operating system, make it easier to link CODICES to the Internet using the services of the Council of Europe.

Due to the enormous amount of data required to hold the full texts of decisions, the full version of CODICES can be distributed off-line only on CD-ROM.

The participants welcomed the progress of the database and the availability of an entry template for the drafting of the précis.

The participants decided to charge the Secretariat with producing 500 copies of a CD-ROM containing all Bulletins which have so far been published as well as all available full texts of judgments summarised in the Bulletin.

The price of the CD-ROM shall be fixed at FF 100/US Dollar 20. An up-dated version of the CD-ROM shall be produced at least once a year. The CD-ROM shall be distributed free of charge to all participating courts and on demand to all paying and non-paying (Central and Eastern Europe) subscribers of the Bulletin.

The participants decided to resume discussion of linking CODICES to the Internet at their next meeting.

² Texts can be copied from word processing (Word, WordPerfect) to the entry template running in a parallel window by selecting the relevant text in word processing, copying it with CTRL+C, switching to the template with ALT+TAB and inserting the text in the relevant box with CTRL+V. This way spell checks can be done in word processing.

6. Supplements to the systematic thesaurus

Document CDL-JU (96) 4 contained proposals for amendments made by liaison officers and the Secretariat. During the meeting, one addendum to this document was distributed among participants. The liaison officers of Belgium and France explained briefly the proposed modifications.

The participants adopted several modifications of the systematic thesaurus contained in document CDL-JU (96) 4 and its Addendum. Version 9 of the systematic thesaurus appears in document CDL-JU (96) 15.

7. Composition of Constitutional Courts

The Commission had prepared a questionnaire on the "Composition of constitutional courts" (CDL-JU (96) 5) which was sent out to all members, associate members and observers of the Commission in May. First replies are expected during the summer. Document CDL (96) 8, which contains "synoptic tables" concerning the composition of constitutional courts, is final.

The Commission will pursue its work on this topic during the November plenary meeting when a first report is expected. The Commission will examine the question to what extent liaison officers could be associated with this project.

8. Cooperation with other courts

a. Constitutional Courts from "francophonie"

Ms Rémy-Granger, France, reported about a preparatory meeting of Constitutional Courts from "francophonie" (French speaking countries, *inter alia* France, Belgium, Switzerland, Canada, Gabon, Senegal, Morocco, Mauritania, Mauritius, Benin), held on 23 May 1996 in Paris. This meeting elaborated a statute for a conference that would meet every three years and would be assisted by a Secretariat in Paris. The inaugural meeting of the conference will be held at the beginning of 1997.

CCT, a French agency for cooperation with the countries of francophonie, has already elaborated a database containing constitutions and decisions of participating courts. This database is however not very user friendly. This is why an exchange of data / database structure with the Constitutional Courts from "francophonie" could be envisaged.

b. South Korea and Morocco

At the margins of the 10th Conference of European Constitutional Courts in Budapest, the Constitutional Court of South Korea and the Constitutional Council of Morocco expressed their interest in participating in the activities of the Sub-Commission on Constitutional Justice. Participants pointed out that neither country is a member, associate member or observer of the Venice Commission, nor do they enjoy the status of special cooperation, as does South Africa. Decisions from these countries might, however, be of interest for the users of the Documentation Centre.

The participants decided that the availability at the Documentation Centre on Constitutional Justice of decisions and summaries of decisions from the Constitutional Court of South Korea and the Constitutional Council of Morocco will be announced on a special page of the Bulletin.

9. Date and place of the next meeting

It was pointed out that the CD-ROM would not yet be available for the November meeting of the Venice Commission. Therefore a meeting in spring might be more appropriate to decide on future activities concerning the Bulletin and CODICES.

Participating Courts were invited to consider whether they would like to invite the Sub-Commission and the Liaison officers to the seat of their jurisdiction in spring 1997.

- Appendix I - List of participants
- Appendix II - Agenda
- Appendix III - Sending Bulletin contributions (précis)
and full-texts of decisions by E-mail

APPENDIX I

**LIST OF PARTICIPANTS /
LISTE DES PARTICIPANTS**

**SUB-COMMISSION ON CONSTITUTIONAL JUSTICE/
SOUS-COMMISSION JUSTICE CONSTITUTIONNELLE**

IRELAND/IRLANDE

Mr Matthew RUSSELL, Former Senior Legal Assistant to the Attorney General of Ireland
(Chairman/Président)

BULGARIA/BULGARIE

Mme Ana MILENKOVA, Membre de l'Assemblée nationale (Apologised/Excusé)

CYPRUS/CHYPRE

Mr Michael TRIANTAFYLLIDES, Chairman of the Council of the University of Cyprus,
Former President of the Supreme Court and Former Attorney General of the Republic
(Apologised/Excusé)

DENMARK/DANEMARK

Mr Asbjørn JENSEN, Attorney General (Apologised/Excusé)

FINLAND/FINLANDE

Mr Antti SUVIRANTA, Former President of the Supreme Administrative Court

FRANCE

M. Jacques ROBERT, Membre du Conseil constitutionnel (Apologised/Excusé)

GERMANY/ALLEMAGNE

Mr Helmut STEINBERGER, Professor at the University of Heidelberg, Director of the
Max-Planck Institute (Apologised/Excusé)

HUNGARY/HONGRIE

Ms Ágnes NÉMETH, Constitutional Court, BUDAPEST (Apologised/Excusée)

ITALY/ITALIE

M. Antonio LA PERGOLA, Président de la Commission européenne pour la démocratie par le
droit, Avocat général, Cour de Justice des Communautés européennes

LIECHTENSTEIN

M. Gérard BATLINER, Président du Conseil Scientifique du Liechtenstein Institut
(Apologised/Excusé)

LITHUANIA/LITUANIE

Mr Kestutis LAPINSKAS, Professor, Judge of the Constitutional Court, (also Liaison Officer)
(Apologised/Excusé)

LUXEMBOURG

M. Gérard REUTER, Président de la Chambre des Comptes (Apologised/Excusé)

MALTA/MALTE

Mr Joseph SAID PULLICINO, Chief Justice (Apologised/Excusé)

POLAND/POLOGNE

Mrs Hanna SUCHOCKA, Member of Parliament (Apologised/Excusée)

PORTUGAL

Mme Maria de Jesus SERRA LOPES, Ancienne Battonnière de l'ordre des Avocats
(Apologised/Excusée)

M. Armando MARQUES GUEDES, Ancien Président du Tribunal constitutionnel
(Apologised/Excusé)

ROMANIA/ROUMANIE

Mr Petru GAVRILESCU, Conseiller, Ambassade de Roumanie, BRUXELLES
(Apologised/Excusé)

SLOVENIA/SLOVENIE

Mr Peter JAMBREK, Judge at the Constitutional Court, LJUBLJANA (Apologised/Excusé)

SWEDEN/SUEDE

Mr Hans RAGNEMALM, Judge, Court of Justice of the European Communities
(Apologised/Excusé)

TURKEY/TURQUIE

Mr Ergun ÖZBUDUN, Professor at the University of Ankara, Vice-President of the Turkish
Foundation for Democracy (Apologised/Excusé)

LIAISON OFFICERS/AGENTS DE LIAISON

ALBANIA/ALBANIE

Mr Premton GERVALLA, Director of Foreign Relations, Constitutional Court, TIRANA

ARGENTINA/ARGENTINE

M. Héctor MASNATTA, Ambassadeur, Directeur du Centre d'études constitutionnelles et
politiques, BUENOS AIRES (Apologised/Excusé)

AUSTRIA/AUTRICHE

Mme Anneliese ELHENICKY, Conseillère à la Cour constitutionnelle, Service de la documentation, WIEN

BELARUS

Prof. Mikhail PASTUKHOV, Judge the Constitutional Court, MINSK (Apologised/Excusé)

BELGIUM/BELGIQUE

M. Pierre VANDERNOOT, Référendaire à la Cour d'Arbitrage, BRUXELLES

M. Rick RYCKEBOER, Référendaire à la Cour d'Arbitrage, BRUXELLES

BULGARIA/BULGARIE

Mr Kiril MANOV, Secretary General of the Constitutional Court, SOFIA (Apologised/Excusé)

CANADA

Ms Louise MEAGHER, Deputy Registrar, Supreme Court of Canada, OTTAWA (Apologised/Excusée)

**COURT OF JUSTICE OF THE EUROPEAN COMMUNITIES/
COUR DE JUSTICE DES COMMUNAUTÉS EUROPEENNES**

M. Ph. SINGER, Juriste, Division Recherche et Documentation, Cour de justice des Communautés européennes, LUXEMBOURG

CROATIA/CROATIE

Mrs Marija SALE_I_, Legal Adviser, Constitutional Court, ZAGREB

CYPRUS/CHYPRE

Mr Yiannakis CHRYSOSTOMIS, Supreme Court of Cyprus, NICOSIA (Apologised/Excusé)

CZECH REPUBLIC/REPUBLIQUE TCHEQUE

Mr Mark GILLIS, Assistant to the Vice-President, Constitutional Court, BRNO

DENMARK/DANEMARK

Ms Solveig BLOCH ANDERSEN, Head of Section of the Ministry of Justice, COPENHAGEN (Apologised/Excusée)

ESTONIA/ESTONIE

Mr Rait MARUSTE, President of the National Court, TARTU

**EUROPEAN COURT OF HUMAN RIGHTS/
COUR EUROPEENNE DES DROITS DE L'HOMME**

M. Nicolas SANSONETIS, Conseil de l'Europe (Apologised/Excusé)

FINLAND/FINLANDE

Mr Per LINDHOLM, Judge, Supreme Court, HELSINKI (Apologised/Excusé)

Mr Tapio KUOSMA, Judge, Supreme Administrative Court, HELSINKI (Apologised/Excusé)

FRANCE

M^{me} Dominique REMY-GRANGER, Chargée de Mission auprès du Président du Conseil constitutionnel, PARIS

M. Stéphane COTTIN, Service de documentation, Conseil constitutionnel, PARIS

GERMANY/ALLEMAGNE

Ms Renate JAEGER, Judge, Bundesverfassungsgericht, KARLSRUHE

Mr Wolfgang ROHRHUBER, Head of "Juris"-Section, Bundesverfassungsgericht, KARLSRUHE

GREECE/GRECE

Mr Konstantinos MENOUDAKOS, Supreme Court, Council of State, ATHENS
(Apologised/Excusé)

HUNGARY/HONGRIE

Mr Peter PACZOLAY, Constitutional Court, BUDAPEST

IRELAND/IRLANDE

Mr James COMERFORD, Registrar, Supreme Court, DUBLIN (Apologised/Excusé)

ITALY/ITALIE

M. Giovanni CATTARINO, Secrétariat Général, Cour constitutionnelle, ROME
(Apologised/Excusé)

M. Nicola SANDULLI, Directeur de la Section de droit comparé, Cour constitutionnelle, ROME (Apologised/Excusé)

M^{me} Elisa BIANCHI FIGUEREDO, Correspondant de la Section de droit comparé de la Cour constitutionnelle, ROME (Apologised/Excusée)

LIECHTENSTEIN

Dr Hilmar HOCH, Judge, Staatsgerichtshof des Fürstentums Liechtenstein, VADUZ

LUXEMBOURG

M. Roger EVERLING, Cour supérieure de Justice, LUXEMBOURG (Apologised/Excusé)

NETHERLANDS/PAYS-BAS

Mrs Alice C.M. HÖPPENER, Assistant to the Chief Justice, Supreme Court of the Netherlands, THE HAGUE (Apologised/Excusée)

NORWAY/NORVEGE

Mrs Anne M. SAMUELSON, The Norwegian Supreme Court, OSLO

POLAND/POLOGNE

Mrs Halina PLAK, Head of the Library and Documentation Centre, Constitutional Tribunal,

WARSZAWA

PORTUGAL

M. António ARAÚJO, Tribunal constitutionnel, LISBONNE

ROMANIA/ROUMANIE

Mr Gheorghe IANCU, Head Secretary at the Constitutional Court, BUCHAREST
(Apologised/Excusé)

RUSSIA/RUSSIE

M. Eugène G. PYRICKOV, Head of the International Relations Department, Constitutional Court, MOSCOW

SLOVAKIA/SLOVAQUIE

Mr Ján DRGONEC, Judge at the Constitutional Court, KOŠICE (Apologised/Excusé)

SLOVENIA/SLOVENIE

Mr Arne MAV_I_, Constitutional Court, LJUBLJANA

SOUTH AFRICA/AFRIQUE DU SUD

Ms Sheryl LUTHULI, Judges' Chambers, Constitutional Court, BRAAMFONTEIN

SPAIN/ESPAGNE

M. Pedro BRAVO GALA, Conseiller, Bibliothèque et Documentation, Tribunal constitutionnel, MADRID

SWEDEN/SUEDE

Mr Leif LINDSTAM, Supreme Administrative Court Judge, STOCKHOLM
(Apologised/Excusé)

Mr Johan MUNCK, Supreme Court Judge, STOCKHOLM (Apologised/Excusé)

SWITZERLAND/SUISSE

M. Paul TSCHÜMPERLIN, Secrétaire Général, Tribunal fédéral, LAUSANNE
(Apologised/Excusé)

Mme Juliane ALBERINI-BOILLAT, Chef du service de documentation, Tribunal fédéral, LAUSANNE (Apologised/Excusée)

**"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA/
L'EX-REPUBLIQUE YOUGOSLAVE DE MACEDOINE"**

Mrs Zorica PULEJKOVA, Constitutional Court, SKOPJE

TURKEY/TURQUIE

Mr Mehmet TURHAN, Reporter, Constitutional Court, Ankara (Apologised/Excusé)

UNITED STATES/ETATS-UNIS

Mr Harvey RISHIKOF, Administrative Assistant to the Chief Justice, Supreme Court, WASHINGTON (Apologised/Excusé)

Mr Alexander WOHL, Judicial Fellow, Supreme Court, WASHINGTON (Apologised/Excusé)

SECRETARIAT

DIRECTORATE OF LEGAL AFFAIRS/DIRECTION DES AFFAIRES JURIDIQUES

M. Gianni BUQUICCHIO

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Mme Liliane BEI

Mme Viviane PARRA-IDREOS

Mme Claire TEDJINI ROEMMELE

APPENDIX II

AGENDA

- 1. Adoption of the Agenda**
- 2. Welcome address by a Representative of the Spanish Constitutional Court**
- 3. Communication by the Secretariat**

Publication of the *Bulletin on Constitutional Case-Law* and the *Special Bulletin*
- 4. Report on the contribution of the Venice Commission to the 10th Conference of European Constitutional Courts (Budapest, 6-10 May 1996)**
- 5. Progress of the Database on Constitutional Case-Law (CODICES)**
 - a. Finalisation of the English version of CODICES
 - b. Distribution of a preliminary French version of CODICES
 - c. Distribution of an entry mask for the preparation of contributions by the Liaison Officers
 - d. Possibilities of use of CD-ROM/Internet for the distribution of CODICES
- 6. Supplements to the Systematic Thesaurus**
- 7. Composition of Constitutional Courts**
- 8. Cooperation with other courts**
 - a. Constitutional Courts from "francophonie"
 - b. South Korea and Morocco
- 9. Date and place of the next meeting**

APPENDIX III

Sending Bulletin contributions (précis) and full-texts of decisions by E-mail

1. Sending of E-mail messages

If you wish to send your précis to the Secretariat in Strasbourg by E-mail you should use the following address:

MICHELE.REMORDS@DAJ.COE.FR

This is the address of Ms Remords who will then distribute the précis within the Secretariat. If you encounter serious difficulties in sending your message to this address, you can use the following - private - address of Mr Dürr.

100645.1502@COMPUSERVE.COM

From both addresses we will send a reply message as soon as we have received the message.

If there is no urgency, it is preferable to send the files on a diskette by mail.

2. Encoding of files

Please note that only plain text in English characters (ASCII) can be sent via Internet E-mail without further treatment in the body of the message or as an attachment. Any other text which contains non-ASCII characters of the ANSI character-set (e.g. French accents or German Umlaute) have to be coded prior to sending by E-mail. The same holds true if you wish to send a Word-processing file (e.g. a WordPerfect or MS-Word document). These files equally contain non-ASCII characters which have to be encoded for transmission as an attachment even if the text of the document were to consist only of characters of the English alphabet. (Slavic characters, e.g., _, š, of the WordPerfect Multinational character set are not part of the ANSI - character set. They are taken into account when you encode the WordPerfect document. In CODICES, those characters will be transformed to their nearest ANSI-equivalent (e.g. c, s) but are reproduced in their original form in the Bulletin with WordPerfect.)

There are three methods of encoding for Internet: MIME, UUENCODE/UUDECODE and BINHEX. (The general idea behind these methods of coding is that 8-bit ANSI characters are transformed to 7-bit ASCII characters). Encoded files have a readable header, which upon reception is used for decoding, followed by long sequences of illegible characters.

The computer system of the Council of Europe should be capable of automatically decoding messages which arrive in the MIME standard. UUENCODE has to be decoded manually, whereas reconversion of BINHEX files has to be performed on another computer. Thus, whenever possible you should use the MIME standard. Please make sure that the coded file always contains its readable header.

Please do not use archiving techniques like ZIP or ARJ for sending your files as those are not supported by the Council of Europe computer system and have to be read on a private PC.