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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**Report of the 15th Meeting of the
Sub-Commission on Constitutional Justice**

(Venice, 15 October 1998)

The Sub-Commission on Constitutional Justice held its 15th meeting on 15 October 1998 with Mr Steinberger in the Chair. A list of participants appears in Appendix I to this report.

1. Adoption of the Agenda

The participants adopted the agenda as set out in Appendix II.

2. Communication by the Secretariat

The Secretariat informed the Sub-Commission that within the series of seminars with Constitutional Courts (CoCoSem) two further events had taken place. On 7-8 October, a seminar on the relationship of international law and domestic law with and emphasis on the role of the Constitutional Court had been held in Lviv in co-operation with the Ukrainian Constitutional Court, USAID - ARD/Checchi Rule of Law Consortium and the OSCE. Another seminar was being held in Yerevan in co-operation with the Constitutional Court on "Electoral Control by the Constitutional Court" (15-16 October 1998).

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

Mr Dürr informed the Sub-Commission that he had taken part in the Second Conference of Heads of Institutions of the Association of Constitutional Courts using the French Language (ACCPUF) in Beirut on 10-13 September 1998 (CDL-JU (98) 35). The participating courts at this conference had unanimously endorsed co-operation with the Venice Commission and participating constitutional courts and equivalent bodies.

It was pointed out that such co-operation would be beneficial to all courts members of the Association and co-operating with the Sub-Commission. The Association would draw on the experience gained by the Sub-Commission and would, in particular, be allowed to use the structure of the Bulletin and the Systematic Thesaurus. Publications and databases would be made mutually available to participants. A formal agreement following the line set out in document CDL-JU (98) 19 would need to be drawn up and should safeguard the rights of author concerning the Systematic Thesaurus.

<p>The Sub-Commission approved co-operation with the Association of Constitutional Courts using the French language and for this purpose decided to propose to the Plenary meeting to mandate the Secretariat to conclude an agreement with the Association of Constitutional Courts using the French Language for this purpose.</p>

Note: The Commission unanimously approved this proposal by the Sub-Commission at its 36th Plenary Meeting in Venice on 16-17 October 1998.

4. Other business

5. Date and place of the next meeting

<p>The State Court of Liechtenstein had invited the Sub-Commission and the liaison officers to hold their next meeting in Vaduz on 30 April 1999.</p>
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A P P E N D I X I

LIST OF PARTICIPANTS /LISTE DES PARTICIPANTS

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

GERMANY/ALLEMAGNE:

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

ARMENIA/ARMENIE :

M. Khatchig SOUKIASSIAN, Président, Centre arménien du droit

CYPRUS/CHYPRE:

Mr Michael TRIANTAFYLIDIS, Chairman of the Council of the University of Cyprus, Former President of the Supreme Court and former Attorney-General of the Republic

FINLAND/FINLANDE:

Mr Mr Kaarlo TUORI, Professor of Administrative law, Department of Public Law, Helsinki University

IRELAND/IRLANDE:

Mr James HAMILTON, Director General, Office of the Attorney General

LATVIA/LETTONIE:

Mr Aivars ENDZIŅŠ, Acting Chairman, Constitutional Court

LITHUANIA/LITUANIE:

Mr Kestutis LAPINSKAS, Judge at the Constitutional Court

PORTUGAL:

M. Armando MARQUES GUEDES, ancien Président du Tribunal constitutionnel

SWEDEN/SUEDE:

Mr Hans Heinrich VOGEL, Professor of Public Law, University of Lund

SECRETARIAT

M. Schnutz Rudolf DÜRR

INTERPRETERS/INTERPRETES

Mme Denise BRASSEUR

Ms Maria FITZGIBBON

M. Nikita KRIVOCHEINE

M. Viktor PROKOFIEV

A P P E N D I X I I

AGENDA

1. Adoption of the Agenda
2. Communication by the Secretariat
3. Co-operation with the Association of Constitutional Courts using the French Language (ACCPUF)
4. Other business
5. Date and place of the next meeting