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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

**19th Meeting of the Joint Council
on Constitutional Justice**

online

23 September 2021

MEETING REPORT

A. Training session

1. Mr Schnutz Dürr explained to the liaison officers how *précis* were prepared, by notably focusing on the writing of headnotes and indexing (see [Guidelines for the presentation of contributions to the Bulletin on Constitutional Case-law and Codices](#)). He then presented the IT-tools that were available to the liaison officers, which include:

- the procedure for resetting the password that expires every 63 days (http://www.venice.coe.int/WebForms/pages/?p=05_password_reset);
- access to the public and restricted website of the Venice Commission (www.venice.coe.int), including the list of courts, the list of secretaries general, the list of liaison officers, regional and linguistic groups, the World Conference on Constitutional Justice (http://www.venice.coe.int/WebForms/pages/?p=02_WCCJ), and opinions and reports.
- the Newsgroup the “Classic” Venice Forum (by e-mail exchange);
- the Observatory (<https://cs.coe.int/team21/veniceforum/default.aspx>); and
- how to search the CODICES database (www.CODICES.coe.int).

B. Joint Council meeting

1. Opening

2. Ms Mirjana Stressec welcomed the participants to the 19th meeting of the JCCJ and explained that it was originally scheduled to take place in Zagreb in 2020, hosted by the Constitutional Court of Croatia. However, due to the COVID-19 pandemic and earthquakes that hit Zagreb, the Constitutional Court of Bulgaria kindly agreed to host the meeting in Sofia, Bulgaria, this year. As the COVID-19 pandemic continued and liaison officers could not travel, the physical meeting in Sofia had to be cancelled. It was then agreed that a one-day online meeting would take place instead.

3. Ms Stressec thanked the Secretariat of the Venice Commission for its tremendous support in hosting this virtual meeting from Strasbourg.

4. She then informed the participants that since the 19th meeting of the JCCJ was a one-day event, the mini-conference on “*Measures taken by States in response to the COVID-19 crisis and their impact on constitutional justice – constitutional case-law on emergency situations*,” planned for 24 September 2021, would be held at the 20th meeting of the JCCJ in Bulgaria, in May 2022. The precise dates for that meeting would be shared with the participants in due course.

2. Adoption of the Agenda

5. The agenda was adopted without any changes.

3. Election of a liaison officer as Co-President of the Joint Council on Constitutional Justice

6. Mr Dürr explained the structure of the JCCJ to the participants, notably that there are two Co-Presidents: one Co-President who was a member of the Venice Commission, Chair of the Sub-commission on Constitutional Justice (elected every two years) and one Co-President who was a liaison officer elected by the liaison officers (for two years).

7. He then informed the participants that, as there was just one candidate for the co-presidency of the JCCJ for the liaison officers: **Mr Valention Georgiev, liaison officer for the**

Constitutional Court of Bulgaria – he would take over the Co-Presidency of the JCCJ for the liaison officers without a formal election taking place.

8. Ms Stresec welcomed her replacement and wished him all the best in his new duties. She said that she took great pleasure in being the Co-President of the JCCJ.

9. Mr Georgiev thanked all the participants and said that he was looking forward to working together with the liaison officers and the Constitutional Justice Team of the Venice Commission as the Co-President of the JCCJ for the liaison officers.

4. Communication by the Secretariat

10. Mr Dürr informed the participants that the JCCJ was meeting online for the first time. This gave him the opportunity to present the entire Constitutional Justice team: Ms Ana Gorey, Ms Isabelle Sudres, Ms Emily Walker, Ms Tatiana Mychelova, Ms Sophia Wistehube, Ms Tanja Gerwien and a new member of the team, Ms Tania van Dijk. He also referred to and thanked the team of proofreaders and the translators, who work on the *précis*.

11. Mr Dürr then informed the participants that he had been promoted to the position of Deputy Secretary of the Venice Commission in July 2021 and that a new Head of the Constitutional Justice Division would be recruited in due course. He reassured the participants that he would remain present in the work of the Division, as he would remain Secretary General of the World Conference on Constitutional Justice (WCCJ), which was closely linked to the work of the JCCJ and to the CODICES database.

12. He told the participants that there were major changes ahead for the Venice Commission as its current President, Mr Gianni Buquicchio, had announced his resignation. A procedure for the election of a new president was under way. Mr Buquicchio was likely, however, to remain available as a special Venice Commission representative for certain activities and notably for the WCCJ.

13. Mr Dürr also informed the participants about the increase in the workload of the Venice Commission. It had nearly doubled over the past year, with a notable increase in the number of requests for opinions. This meant that the preparation of general reports had to be scalled down.

14. He ended by saying that, as the number of missions for the Venice Commission had been drastically reduced as a result of the COVID-19 pandemic, notably also as concerns events hosted by Constitutional Courts. Due to the COVID-19 pandemic, the plenary session of October 2021 would be held in a hybrid format.

5. Updating data on the participating courts

15. Mr Dürr invited the liaison officers to let the Secretariat know whether the information regarding their Courts was correct
(available in the Venice Forum

<https://cs.coe.int/team21/veniceforum/Lists1/Forms/AllItems.aspx>, under “Lists”).

16. A request for an update of this information is sent to the liaison officers every four months by Ms Gorey with the request for contributions.

6. Venice Forum

17. Mr Dürr explained to the liaison officers that the Venice Forum is composed of (1) the “Classic” Venice Forum, (2) the Newsgroup, (3) the Constitutional Justice Observatory and (4) the Interim Bulletin.

Link: <https://cs.coe.int/team21/veniceforum>

6.a. “Classic” Venice Forum

18. Ms Gerwien briefly explained the functioning of the Classic Venice Forum through which liaison officers could request case law from each other’s Courts.

19. She then went over the *Guidelines to the Classic Venice Forum* and reminded liaison officers not to forget to include a deadline for replies in their requests and the result of their search in CODICES (see <http://www.venice.coe.int/JU/VeniceForum>).

20. She reminded liaison officers that they could access the replies to previous requests, which were available on the restricted Venice Forum site, only accessible to those with a password: <https://cs.coe.int/team21/veniceforum/SitePages/Classic%20Venice%20Forum.aspx>

21. Ms Gerwien also reminded liaison officers that the instructions on the access to this site were sent to new liaison officers in their welcome letters. Liaison officers, who did not know how to access the Venice Forum, were invited to contact the Secretariat.

22. Mr Dürr strongly encouraged liaison officers to use this tool, which was at their disposal.

23. Mr Georgiev told the liaison officers that one of his Court’s requests to the Venice Forum received many helpful and carefully prepared replies, for which he thanked the liaison officers.

Year	Number of questions received (in total)	Number of answers received (in total)
2020	18	300
2021 (up to 24 June)	7	115
TOTAL	25	415

6.b. Venice Forum Newsgroup

24. Mr Dürr reminded liaison officers that the Newsgroup was comparable to a bulletin board on upcoming events for courts, but with a wider outreach than the JCCJ, as it reached liaison officers of the JCCJ, the WCCJ and even non-members of the WCCJ in regional or linguistic groups of courts (see item 8 below). It enabled courts to actively share information with each other, e.g. to make online announcements on changes to their composition, on recent key judgments and to make various requests for general information. If they wished to, liaison officers could also use the Newsgroup to discuss issues related to pending cases.

25. The Newsgroup was also used by the Secretariat to inform liaison officers about accessions to the WCCJ, appointments of Presidents to Courts and opinions and reports of the Venice Commission relating to constitutional justice.

26. Liaison officers are alerted every Friday at 4 p.m. CET about new items that were added to the Newsgroup during the week.

27. **Liaison officers, who were new or had not received these alerts or who could not access the Venice Forum, were invited to contact the Secretariat.**

Link: <https://cs.coe.int/team21/veniceforum/default.aspx>

Mr Georgiev chaired the following part of the meeting:

6.c. Constitutional Justice Media Observatory

28. Ms Sophia Wistehube explained to the participants that the Constitutional Justice Media Observatory consisted of a collection of press articles on judgments and decisions of constitutional courts and equivalent bodies. It was distributed regularly by email to members and liaison officers who had subscribed. Its aim was to update members and liaison officers on developments in constitutional justice in Courts worldwide.

29. She explained that the information in the Observatory resulted from an Internet search in English and French, mostly from automated Google alerts. The Observatory did not purport to provide a complete picture of all developments in constitutional justice nor did it vouch for the accuracy of the information sent. However, the Secretariat could add any information provided by the Constitutional Courts themselves or remove an article, upon request.

30. She invited participants to subscribe to the Observatory, if they had not yet done so, by sending an e-mail to Ms Emily Walker (emily.walker@coe.int).

31. Ms Mychelova then informed the participants that she had taken over the task of gathering articles for the Observatory from Ms Wistehube, who would be leaving the Venice Commission at the end of the month.

32. She explained that preparing one issue of the Observatory meant looking through hundreds of articles and manually entering the country code, the date, the title and the URL address for each article of interest. The articles were then dragged into an e-mail by a macro designed by Mr Dürr and sent to subscribers by Ms Walker.

33. Ms Mychelova hoped that the Observatory was useful to liaison officers and would welcome any suggestions for its improvement (periodicity, number of articles, etc).

Link: <https://cs.coe.int/team21/veniceforum/SitePages/Observatory.aspx>

6.d. Best practices

34. Mr Dürr explained to the participants that the Secretariat had included a “Best Practices” section in the Venice Forum following the Bureau of the WCCJ’s decision in March 2021 to collect the member Courts’ best practices with respect to procedural and organisational changes resulting from the COVID-19 pandemic. This idea began with Ms Marta Cartabia, the then President of the Constitutional Court of Italy, who explained how her Court coped with the COVID-19 pandemic by adopting a more technical approach.

35. This section dedicated to “Best Practices” refers, for instance, to online hearings or meetings, telework, the possibility of submitting documents electronically, organisational changes within the court and so on. The Best Practices should also include information regarding challenges and difficulties met during this period.

36. So far the Secretariat had included contributions from Benin, France, Italy, Russia and Switzerland. The Secretariat will provide an index to the contributions by topic.

37. Mr Dürr invited liaison officers to contribute to the Best Practices section in the Venice Forum.

Link: <https://cs.coe.int/team21/veniceforum/BestPractices/Forms/AllItems.aspx>.

7. Opinions and studies of the Venice Commission

38. The Chair, Mr Valentin Georgiev, briefly presented the table of opinions and reports on constitutional justice to the participants, which were adopted by the Venice Commission since the last meeting of the JCCJ took place on 23-24 May 2019, in Rome, Italy.

39. He explained that further information on these opinions and reports could be found by clicking on the links provided in the table below.

2018
923/2018 - Georgia - Effects of Constitutional Court decisions on final judgments in civil and administrative cases
932/2018 - Report on Separate Opinions of Constitutional Courts
934/2018 - Luxembourg - Revision of the Constitution
940/2018 - Malte – Dispositions constitutionnelles, la séparation des pouvoirs et l'indépendance des organes judiciaires et répressifs
2019
961/2019 - Armenia - Opinion on the constitutional implications of the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)
964/2019 - Peru - Linking Constitutional Amendments to the Question of Confidence
967/2019 - Moldova, Republic - Amicus Curiae Brief on the criminal liability of constitutional court judges
970/2019 - Report to clarify in which circumstances, if any, the European Convention of Human Rights allows the criminalisation of calls by politicians or representatives of civil society for radical constitutional changes by peaceful means
2020
978/2020 - Albania - Opinion on the appointment of judges to the Constitutional Court.
981/2020 - Russian Federation - Opinion on the draft Amendments to the Constitution of the Russian Federation (as signed by the President of the Russian Federation on 14 March 2020) relating to the execution in the Russian Federation of judgments of the European Court of Human Rights.
988/2020 - Armenia - Three questions in the context of constitutional amendments concerning the mandate of the judges of the constitutional court
997/2020 - Iceland - Opinion on four draft constitutional bills on the protection of the environment, on natural resources, on referendums and on the President of Iceland, the Government, the functions of the executive and other institutional matters.
1002/2020 - Bulgaria - Opinion on the draft amendments to the Constitution
1003/2020 - Republic of Moldova - Amicus Curiae Brief on specific legal questions concerning the mandate of members of constitutional bodies
1007/2020 - Kyrgyzstan - Amicus Curiae Brief on the postponement of the Parliamentary elections motivated by carrying out a constitutional reform
2021
1020/2021 - Republic of Moldova - Amicus curiae brief on three legal questions concerning constitutional review of law-making procedures in Parliament
1021/2021 - Kyrgyzstan - Joint Opinion of the Venice Commission and the OSCE/ODIHR on the draft Constitution of the Kyrgyz Republic
1023/2021 - Kazakhstan - Opinion on the Concept paper for improving the legal framework of the Constitutional Council
1024/2021 - Ukraine - Opinion on the draft law on constitutional procedure and alternative draft law on the procedure for consideration of cases and execution of judgements of the Constitutional Court

8. Co-operation activities

8.a. Co-operation with the Conference of European Constitutional Courts (CECC)

40. Mr Dürr informed the participants that Mr Teodor Papuc, the liaison officer for the Constitutional Court of the Republic of Moldova, holding the presidency of the Conference of

European Constitutional Courts (CECC), could unfortunately not participate in the online meeting to inform the participants about the Venice Commission's co-operation with the CECC.

41. Mr Dürr thanked the liaison officers for their contributions to the Special Bulletin for the XVIIIth Congress of the CECC on the topic "*Human Rights and Fundamental Freedoms: The Relationship of International, Transnational and National Catalogues in the 21st Century*", which took place online under the presidency of the Constitutional Court of the Czech Republic on 24-25 February 2021.

42. The Special Issue of the e-Bulletin is available at:
www.venice.coe.int/files/Bulletin/BulletinCECC2021-E.htm.

8.b Co-operation with the Association of Francophone Constitutional Courts (ACCF)

43. Mr Dürr read Ms Caroline Pétilion's intervention about the Venice Commission's co-operation with the Association of Francophone Constitutional Courts (ACCF), as she could not participate in this online meeting.

44. In this intervention, Ms Pétilion informed the participants that the ACCF, just like any other institution or organisation, had been affected in its work and contacts by the COVID-19 pandemic. It had to adapt its working methods notably by introducing the use of videoconferences. In 2020-2021, two Bureau meetings took place online using Zoom under the chairmanship of Mr Richard Wagner, Chief Justice of Canada and President of the ACCF. In May 2021, the 9th Conference of the Head of Institutions on the topic of "Collegiality" took place online, in which over 100 participants took part, including Mr Dürr.

45. In April 2021, a Cooperation Agreement had been signed between the ACCF and the CJCA, which allowed for the joint organisation of scientific events and concerted regional and international debates on constitutional justice.

46. The ACCF, which had luckily updated its website (accf-francophonie.org) in 2019, could communicate with its members during the COVID-19 pandemic through its forum on the restricted part of its website to which only member Courts had access. Since then, the CJEU had joined the ACCF and both Armenia and North Macedonia had renewed their membership.

47. Finally, the next Congress of the ACCF would be held on 26-28 January 2022 in Dakar, Senegal where the Constitutional Council of Senegal would take over the presidency of the ACCF for three years.

8.c Co-operation with the Southern African Chief Justices Forum (SACJF)

48. Mr Dürr informed the participants about the Venice Commission's co-operation with the Southern African Chief Justices Forum (SACJF). The Constitutional Court of Zambia served as the Secretariat of the SACJF, with which the Venice Commission unfortunately had encountered difficulties in communicating.

49. In 2019, the SACJF had organised a successful conference in the Seychelles. Another conference was to take place in Arusha, Tanzania in 2021, but was postponed as a result of the COVID-19 pandemic.

8.d Co-operation with the Eurasian Association of Constitutional Review Bodies (EACRB)

50. Mr Bakyt Nurmukanov informed the participants about the Venice Commission's co-operation with the Eurasian Association of Constitutional Review Bodies (EACRB). He said that the objectives of the EACRB were to promote universally recognised constitutional values, create conditions for a continuous dialogue and exchange of experiences between members on constitutional review and assist in the implementation of guarantees for the independence of EACRB members.

51. He explained that the EACRB has nine members: Kazakhstan (the Chair/Host Secretariat) and eight members/associate members and observers consisting of Azerbaijan, Armenia, Belarus, Kyrgyzstan, Mongolia, Tajikistan, Russian Federation and Uzbekistan. The EACRB had a Committee of Members and a Congress.

52. The EACRB (formerly known as the "Conference of Constitutional Control Organs of Countries of New Democracy") has entered into a Cooperation Agreement with the Venice Commission on 4 October 2003.

53. Mr Nurmukanov said that at its meeting in October 2017 in Armenia, the Constitutional Council of Kazakhstan had taken over the presidency of the EACRB, during which: the EACRB's statute was adopted; the Constitutional Court of Azerbaijan became a member; the participation in the 5th Congress of the WCCJ was discussed; the Memorandum of Understanding between the EACRB and the CCJA was signed (2018) as was the Memorandum of Understanding between EACRB and the AACC (2020). He explained that the association was renamed in 2019 and had received a new log, flag and medal.

54. He explained that the EACRB had its own periodical called "Constitutional Justice Bulletin", the editorial board of which included representatives of all members of the EACRB.

55. Mr Nurmukanov ended by informing the participants that the EACRB would be organising an event to celebrate its 25th anniversary in 2022 – further information on this event would be shared in due course.

8.e. Co-operation with the Association of Asian Constitutional Courts and Equivalent Institutions (AACC)

56. Mr Nurmukanov informed the participants about the Venice Commission's co-operation with the Association of Asian Constitutional Courts and Equivalent Institutions (AACC).

57. He explained that the AACC was established in 2010 as a regional forum of Asian constitutional review bodies with the aim of promoting the protection of human rights, democracy, the rule of law the independence of constitutional courts and equivalent bodies and cooperation and exchange of experiences and information among members.

58. The AACC had 20 members: Mongolia (Chair), Afghanistan, Azerbaijan, Bangladesh, India, Indonesia, Jordan, Kazakhstan, Republic of Korea, Kyrgyzstan, Malaysia, Maldives, Myanmar, Pakistan, Philippines, Russian Federation, Tajikistan, Thailand, Turkey and Uzbekistan. The AACC consisted of a Host Secretariat (Mongolia), a Permanent Secretariat for Planning and Coordination (Indonesia), a Permanent Secretariat for Research and Development (Republic of Korea) and a Center for Training and Human Resources Development (Turkey).

59. The Constitutional Council of Kazakhstan, Acting President of the AACC, had overseen the following events: two meetings of the Secretaries General and four Board of Members meetings. During these events, the statute was amended, the Supreme Court of Bangladesh and the Constitutional Court of Jordan became members of the AACC, the Memorandums of Understanding between the AACC and the EACRB (2020) and between the AACC and the CECC (2021) were signed.

60. Mr Nurmukanov explained that the IVth Congress of the Association on the “XXIst Century Constitution – the Rule of law, the Value of Person and Effectiveness of the State” was held online on 27 August 2020 in Nur-Sultan, Kazakhstan at which the Nur-Sultan Declaration was adopted. Exactly a year later, the International Symposium of the AACC on “The Internet Era: The Rule of Law, the Values of Person, the State Independence” was held online. The Constitutional Court of Mongolia took over the presidency of the AACC at that event.

61. Mr Nurmukanov ended by saying that the COVID-19 pandemic had made it impossible to carry out activities normally and that the use of digital technology had greatly facilitated the holding of online meetings as well as the mutual support of the AACC members and the close cooperation between the Host Secretariat and the Permanent Secretaries.

62. Mr Chiwon Seo briefly talked about the AACC SRD’s research project of 2020 on “Freedom of Expression: Experience of the AACC Members” and about the International Symposium that would take place in November 2021 on the theme “Constitutional Rights and AACC Members” which followed the theme of the AACC SRD’s 2021 research project – and to which the President of the Venice Commission, Mr Gianni Buquicchio, had been invited to make an opening presentation. All of this information was available on their website at: <http://www.aaccsrd.org/en/aboutUs.do>

63. Ms Bat-Erdene Bilegjargal briefly explained that the Constitutional Court of Mongolia took over the presidency in August 2021 and that a training seminar was planned for 19 November 2021 but had to be postponed due to the COVID-19 pandemic. She would inform the participants about the new dates in due course.

64. Ms Bilegjargal also said that the cooperation with the Venice Commission would be stepped up in the future.

8.f. Co-operation with the Ibero-American Conference of Constitutional Justice (CIJC)

65. Mr Dürr informed the participants about the Venice Commission’s co-operation with the Ibero-American Conference of Constitutional Justice (CIJC). The XIIIth Congress of the CIJC was hosted by the Constitutional Court of Colombia on 25-26 September 2020. The event took place online due to the COVID-19 pandemic, but was nevertheless a great success.

66. The President of the Venice Commission had made a presentation at this event.

8.g. Co-operation with the Union of Arab Constitutional Courts and Councils (UACCC)

67. Mr Dürr informed the participants that the Venice Commission enjoyed good co-operation with the Union of Arab Constitutional Courts and Councils (UACCC), however all meetings had to be cancelled as a result of the COVID-19 pandemic.

68. The UACCC’s Permanent Secretariat is held by the Supreme Constitutional Court of Egypt.

8.h. Co-operation with the Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP)

69. Ms Joana Vaz Antunes informed the participants about the Venice Commission’s co-operation with the Conference of Constitutional Jurisdictions of the Portuguese-speaking Countries (CJCPLP).

70. She said that the CJCLP's last conference, scheduled for October/November 2020 had been cancelled due to the COVID-19 pandemic. There were on-going discussions about organising it in May or June 2022 in Lisbon, Portugal – with the option of organising it in a hybrid form.

8.i. Co-operation with the Conference of Constitutional Jurisdictions of Africa (CCJA)

71. Mr Moussa Laraba informed the participants about the Venice Commission's co-operation with the Conference of Constitutional Jurisdictions of Africa (CCJA). He explained that the CCJA was established in 2011 and now had 46 member Courts with the aim of promoting and making constitutional culture more accessible in Africa.

72. Mr Laraba said that the 3rd International Symposium of the CCJA on "Electoral process: Transparency, inclusion and integrity" would take place in hybrid form on 14-16 October 2021 (organised in Mozambique) and that the celebration of the 10th anniversary of the CCJA would take place on 1-2 December 2021 in the form of an International colloquy and discuss the 10-year experience acquired by the CCJA.

73. He explained that the seat and the Secretariat General of the CCJA was in Algiers. He said that the 14th Executive Bureau meeting would take place in January 2022 in Angola and that a first meeting of African Women Judges was scheduled to take place in Libreville, Gabon on 8-9 March 2022.

74. Mr Laraba explained that there had been five congresses of the CCJA so far: the first in Algeria, the second in Benin, the third in Gabon, the fourth in South Africa and the fifth in Angola. He said that the 6th Congress of the CCJA will take place on 12-14 September 2022 in Morocco on the theme "Constitutional Courts and international law".

75. Other activities included the publication on the activities of African Courts and of a newsletter in four languages.

8.j. Commonwealth Courts

76. Ms Chantal Carbonneau informed the participants about the Venice Commission's co-operation with the Commonwealth Courts. She explained that, the Commonwealth Courts, including the Supreme Court of Canada, had cancelled or reduced their events due to the COVID-19 pandemic.

77. Mr Dürr explained that the establishment of the Commonwealth Courts came as a result of Justice Arthur Chaskalson's (Constitutional Court of South Africa) insistence that it be created so as to allow these Courts to be represented at the World Conference on Constitutional Justice.

Mr Nicos Alivizatos chaired the meeting from here on until the end:

9. World Conference on Constitutional Justice (WCCJ)

78. Mr Dürr informed the participants that the 16th meeting of the Bureau of the WCCJ took place online on 20 March 2021. He explained that ten regional and linguistic groups made up the core of the Bureau of the WCCJ, which steered the WCCJ's activities.

79. He explained that the WCCJ's congresses took place, in principle, every three years and that the last one took place in 2017, which meant that the 5th Congress should have taken place in 2020.

80. As these congresses were organised on different continents each time, it was Africa's turn to organise the next one. However, due to the COVID-19 pandemic and for other reasons, the 5th Congress that was scheduled to take place in Algeria, had to be cancelled. Due to the COVID-19 pandemic, no other African Court could organise this event at short notice, and it was the Constitutional Court of Indonesia that stepped forward and offered to host this event in Bali on 4-7 October 2022. The Constitutional Court of Indonesia was now in the midst of preparations for the 5th Congress of the WCCJ.

81. The topic chosen for the 5th Congress of the WCCJ was "Constitutional Justice and Peace" and a concept paper on the topic had been prepared and a questionnaire sent out for which the deadline for replies was at the end of September 2021. The Secretariat of the Venice Commission had started summarising the replies for the keynote speakers.

82. Mr Dürr explained that there were four main sessions and a "traditional" session on the "Independence of Constitutional Courts" which was aimed at taking stock of the situation of the members of the WCCJ. This came as a result of the Statute of the WCCJ, which provided a special procedure for the support of Constitutional Courts that come under undue pressure.

83. Mr Dürr then explained other points in the preparation of the 5th Congress, notably concerning invitations, the size of delegations (maximum of four delegates), meetings of regional and linguistic groups, interpretation in seven languages, elections in the General Assembly, support to member Courts in Least Developed Countries, expenses and interventions.

84. Mr Dürr ended by saying that the Constitutional Court of Indonesia had done an exemplary job in organising the recent conference of the Constitutional Courts of the Organisation of Islamic Cooperation (OIC) – which took place in hybrid form. He was very confident that the 5th WCCJ Congress would also be organised well.

85. Note: since the WCCJ's Statute entered into force on 24 September 2011, 117 Constitutional Courts, Constitutional Councils and Supreme Courts exercising constitutional justice have acceded to the WCCJ. The updated list of members is available at: www.venice.coe.int/WCCJ.

10. Seminars and conferences with Constitutional Courts (CoCoSem)

86. Mr Dürr informed the participants about the Venice Commission's participation in seminars/conferences since the last JCCJ meeting as well as the programme for future activities.

87. He added that the 3rd International Symposium of the AACC Secretariat for Research and Development of the AACC on "Constitutional Rights and AACC Members" would take place in Seoul in November 2021 and that the celebration of the 10th anniversary of the CCJA would take place on 1-2 December 2021 in the form of an international colloquy.

88. Mr Dürr went on to explain that the Venice Commission's website set out conferences and other events in which the Venice Commission participated or organised, but also announced conferences of regional groups in order to help in avoiding any overlap of events.

2021 – events that have taken place

25 June 2021

Kazakhstan - "Execution of the decisions of the Constitutionals Courts and equivalent

	bodies – theory and practice” - International online Seminar
24 June 2021	Kyiv - On the occasion of its 25 th anniversary as well as the 25 th anniversary of the adoption of the Constitution of Ukraine, the Constitutional Court of Ukraine organised an international conference on "The Constitution of 1996: Ukraine within the framework of European constitutionalism" in co-operation with the the IRZ-Foundation and the Venice Commission.
2021 – upcoming events	
27 August 2021	Nur-Sultan –Symposium on “The Internet Era: the Rule of Law, the Values of the Person and the State Independence”, organised by the Constitutional Council of Kazakhstan and the AACC The Symposium coincided with the 30 th anniversary of the Independence of Kazakhstan. Prior to the Symposium the AACC held a meeting of its Board of Members and a meeting of Secretaries General.
2022	
12-14 September 2022	Rabat and Fez, Morocco – 6 th Congress of the CCJA on the theme “Constitutional courts and international law”.
22-26 January 2022	Senegal – 9 th Congress of the ACCF.
June 2022	Ljubljana – 30 th anniversary of the Constitutional Court of Slovenia.

11. Publication of the *e-Bulletin on Constitutional Case-Law*

89. Ms Ana Gorey thanked the liaison officers for their contributions, which she said were what made CODICES and the e-Bulletin so rich and useful, especially for Constitutional Courts all over the world but also a wide ranging public.

90. Ms Gorey explained that there are guidelines as to how a *précis* should be formulated. These had been slightly changed following the move to a fully digital Bulletin so the Secretariat asked liaison officers to look through the Guidelines for the presentation of contributions to the e-Bulletin on Constitutional Case-Law and CODICES ([CDL-JU\(2021\)005](#)) and familiarise themselves again with the procedure and formatting requirements. This document was also linked every time liaison officers received the invitation to contribute to the next Bulletin.

91. In this respect, Ms Gorey reminded liaison officers to please make a selection of their most important cases as, unfortunately, the Secretariat did not have unlimited resources for proof reading and translation. She also invited liaison officers to try and stay within the 1200 word limit for the same reasons, keeping formatting simple (no boxes) and including any fulltexts, in the original language and/or others, as this meant that users could easily link for more information.

92. Ms Gorey then explained that with respect to drafting *précis*, liaison officers should take into account that *précis* in respect of one country would be read by users in another country. *Précis* should therefore be drafted using simple terms and short sentences. An explanation for legal concepts used in the *précis* that were particular to the liaison officer’s country should be provided, if possible.

93. She also reminded liaison officers that statistics were no longer needed, as the e-Bulletin format did not allow for it. Ms Gorey also said that abbreviations should be avoided because, although they might be familiar to readers in one country, they were likely to be unknown to readers of the e-Bulletin from another country. If the use of abbreviations could not be avoided, then it should be introduced in brackets following the first occurrence in the *précis* of the full wording: e.g. “Administrative Disputes Act (hereinafter, the “ADA”)”.

94. Ms Gorey also informed liaison officers that they could add a European Case Law Identifier (ECLI) number for the decision, where this was applicable. With regard to the indexing, the “Alphabetical Index” was used to index concepts that were not found in the “Systematic Thesaurus”, but that only cover constitutional law issues. Liaison officers were asked to avoid the repetition of keywords of the Systematic Thesaurus.

95. With respect to the Headnotes, these should be a short summary containing key legal principles or arguments that emerged from the case. They should not contain extracts from the decision, but a summary of the main contents. Each legal issue considered in the decision should be summarised in one paragraph. This information should be abstract and not contain any reference to the particular facts of the case.

96. On the other hand, the Summary should briefly describe the main facts of the case, the procedure followed and details about who appealed to the Court. Liaison officers were encouraged, when appropriate, to systematically separate the cases into: I. Facts (including case history); II. Arguments and conclusion of the Court (see for example, EST-2009-2-007 in the appendix of document [CDL-JU\(2021\)005](#)); III. this section could include dissenting and concurring opinions, which should not appear under “Supplementary information”.

97. Ms Gorey explained that even though it was at the end of the *précis*, liaison officers should not forget to cite any additional information and cross-references (examples were given to facilitate how this should be done) as well as harmonising citations within the *précis* itself, which was very important because it allows the automatic creation of links from the *précis* to the relevant texts.

98. Ms Gorey ended by saying that liaison officers should not hesitate to contact her or Ms Gerwien if they had any questions or issues.

12. CODICES database

12.a Upgrading the CODICES

99. Mr Dürr informed the participants about the progress made in replacing the CODICES database with new software. He explained that the current CODICES database was running from an individual PC rather than a server. The aim was for CODICES not to need Mr Dürr’s personal input to such an extent in the future i.e. make it as sustainable as possible.

100. The procedure for CODICES’ new software underwent a tender procedure, the outcome of which showed that the prices for this new software were much higher than initially expected.

101. Participants were welcome to share their ideas or suggestions on how to finance the CODICES database.

12.b Updating and indexing constitutions, laws and descriptions in CODICES

102. Ms Mychelova explained to the liaison officers that Ms Gorey received the information concerning updates of constitutions and laws from liaison officers and then forwarded this information to Ms Mychelova, who then introduced the updates into the CODICES database using software called “Folio Views”.

103. In order to speed up the updating process, Ms Mychelova invited the liaison officers to send the final texts of their constitutions and laws in Word format, with as little formatting as possible because the formatting would in any case be lost in the transformation process. Ms Mychelova also invited the liaison officers to place the titles of chapters and articles on the same line.

104. With respect to amendments to constitutions, Ms Mychelova explained to the liaison officers that to facilitate the process, either the final version of the amended constitution with clear indications in the text regarding any amendments (with reference to the amending laws) or the final version of the constitution together with the text of the amending laws should be sent to the Secretariat.

105. For the laws on the functioning of Courts, Ms Mychelova explained that the final version would suffice.

106. Ms Mychelova reminded the liaison officers that a reminder for updates was sent to them by Ms Gorey three times a year. Liaison officers were however welcome to inform the Secretariat about any changes to their constitutions or laws as soon as they occur, even if the final translation was not yet ready.

107. Ms Mychelova informed the liaison officers that since the last JCCJ meeting in May 2019, 44 constitutions and 18 laws had been updated.

108. She thanked the liaison officers for their invaluable efforts to keep this information updated, for their timely translation and for their consistency in pursuing their efforts even during the COVID-19 pandemic.

13. Documentation Centre on Constitutional Justice / Library

109. Mr Dürr informed the participants about the library of the Documentation Centre on Constitutional Justice (CoCentre), which was composed exclusively of donations, mostly from constitutional courts and equivalent bodies. He said that, unfortunately, it could no longer receive paper digests from Courts, which exist online, as the Secretariat no longer had the room to store them and there was no budget to sustain the library.

110. However, Mr Dürr explained that the library could continue to accept individual monographs and periodicals others than the courts' digests. Where available, the Secretariat would prefer to receive PDF versions of books, which did not take up space and could be made available online.

111. The Secretariat of the Venice Commission was grateful to those who had contributed to the library over the years. The list of documents was available at:
<http://www.venice.coe.int/WebForms/cocentre/default.aspx>

14. Other business

112. There was no other business to discuss.

15. Date and place of the next meeting

113. The Chair gave the floor to Mr Georgiev, who informed the participants that the 20th meeting of the JCCJ would be hosted by the Constitutional Court of Bulgaria in May 2022 either in Sofia or on the Black Sea, which would be decided at a later date.

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