



## SOUTHERN AFRICAN CHIEF JUSTICES FORUM

### Second Liaison Officer Seminar 2003

#### Synopsis

On 28-29 November 2003, the Venice Commission organised the second seminar for liaison officers of highest courts of the Southern African region in Windhoek. Liaison officers from constitutional, supreme or appeal courts from the following countries participated in the seminar: Angola, Lesotho, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Uganda and Zambia. The seminar was funded by the Norwegian and Swiss governments.

The seminar is part of the co-operation programme of the Venice Commission with constitutional courts and equivalent bodies in the Southern African region. The overall goal of this programme is to foster closer ties between these courts in view of enabling them to assist each other in case of undue interference from the executive or legislative powers. The imminent establishment of the Southern African Judges' Commission (SAJC) uniting the Presidents of these courts on 6-7 December 2003 is a major achievement in this respect. Already before the formal creation of the SAJC, the presidents of the courts undertook action in favour of their peers in Swaziland and in Zimbabwe. Ms Makhambeni represented the newly established SAJC secretariat at the Windhoek seminar.

In parallel, the programme is to enable an exchange of information between the courts in the region but also with European courts and the public at large about their case-law in constitutional matters. Again, this knowledge should strengthen the ability of the Southern African courts to hand down judgements, which may displease other state powers by being able of

making reference to similar decision taken by peer courts in other countries. The tool for this exchange is the CODICES database of the Venice Commission, which already contains more than 3900 summaries from constitutional courts and equivalent bodies in 60 countries in Europe and abroad (CD-ROM and <http://codices.coe.int>).

In this framework, the specific goal of the Windhoek seminar was to familiarise the liaison officers with the technique of preparing précis (summaries) of constitutional judgements for their inclusion in the CODICES database of the Venice Commission.

Following the opening of the seminar by the Chief Justice of Namibia, Mr. Strydom, who kindly hosted the event, the liaison officers first presented their respective court and the way it exercises constitutional - including human rights - jurisdiction. The liaison officers were invited to submit descriptions of these powers for their inclusion into CODICES.

Mr. Dürr from the Venice Commission's secretariat presented CODICES and set out the guidelines on drafting précis for inclusion into the database. On the basis of these guidelines the participants worked on summaries of important constitutional decisions they had submitted prior to the seminar transforming them into précis ready for inclusion into CODICES.

The liaison officers expressed their satisfaction with the practical use of the seminar and pledged to contribute further précis for the CODICES database.