

## RESOLUTION IV

The Circle of Presidents of the Conference of European Constitutional Courts, convened in Bucharest on 15 and 16 October 2009 to the Preparatory Meeting of the XVth Congress of the Conference of European Constitutional Courts,

Having regard to Article 9 paragraph 2 (c) of the Statute of the Conference of European Constitutional Courts and, respectively, to Articles 3, 4, and 5 paragraph 3, as well as to Article 12 paragraph 4 of the Conference Regulations, concerning decisions to be taken in connection with the forthcoming Congress which is organized and hosted by the Constitutional Court of Romania,

Having heard the opinions and proposals of the participants in the meeting,

Has unanimously decided:

1° The XVth Congress of the Conference of European Constitutional Courts shall be held in Bucharest, on 23 - 27 May 2011 (social programme included).

2° The general theme of the XVth Congress shall be “Constitutional justice: functions and relationship with the other public authorities”, comprising three subdivisions, as follows:

- a) The Constitutional Court’s relationship to Parliament and Government;
- b) Resolution of organic litigations by the Constitutional Court;
- c) Enforcement of constitutional courts’ decisions.

3° A draft questionnaire intended to highlight the principal aspects related to the above-mentioned topics shall be prepared by the Constitutional Court of Romania in the official languages of the Conference, and then circulated to all

members by 15 February 2010. Proposals, comments or any other remarks concerning the questionnaire may be submitted by 15 March 2010. The final version of the questionnaire shall be thereafter drawn up by the Constitutional Court of Romania and sent to all the members of the Conference by 15 April 2010.

4° Members shall present national reports in their official language as well as in French or English, and send them to the Constitutional Court of Romania by 15 October 2010 at the latest, with a view to the drafting of the general report. Both the national reports and the general report shall be made public on the official website of the Conference; for this purpose, national reports, written in the chosen languages by each participating country, must be sent in electronic format.

5° After submission of the questionnaire, the Constitutional Court of Romania shall appoint a general rapporteur and a number of other rapporteurs for the specific subtopics to be considered at the XVth Congress of the Conference of European Constitutional Courts. The host Court is also entrusted to present nominations before the Circle of Presidents for the chairpersons who will preside over each session, in view of the fact that discussions on the aforementioned topics shall take place in the Congress plenary assembly. In that regard, the members of the Conference may express their interest to act as a rapporteur or chairperson.

6° These observers and guests proposed by the Constitutional Court of Romania shall be invited to attend the XVth Congress:

- **observers:** the President of the European Court of Human Rights and the judge from Romania; the President of the Court of Justice of the European Communities and the judge from Romania; the President of the Court of First Instance of the European Communities and the judge from Romania; the Venice Commission of the Council of Europe; the President of the Conference of Asian Constitutional Courts; the President of the Association of Constitutional Courts using the French Language (ACCPUF); the President of the Conference of Constitutional Courts using the Portuguese Language; the President of the Ibero-American Conference on Constitutional Justice; the Chairman of the Southern African Chief Justices Forum; the President of the Union of Arab Constitutional Courts and Councils; a representative of the Commonwealth Courts' Association and/or the highest judicial authority of the UK; the President of the Supreme Court of Israel; the President of the Constitutional Court of Korea; the President of the Legal Commission of the People's National Assembly of the People's Republic of China; the President of the Constitutional Court of the Republic of Kazakhstan; the President of the Constitutional Court of Uzbekistan; the President of the Constitutional Court of Mongolia; the President of the Constitutional Council of Algeria;

- **guests:** the President of the High Court of Cassation and Justice of Romania; the President of the Superior Council of Magistracy; the Prosecutor General of the Prosecutor's Office attached to the High Court of Cassation and Justice; former presidents and justices of the Constitutional Court of Romania; the People's Advocate (Ombudsman); distinguished professors of law, editors-in-chief of law reviews, other academic personalities from Romania and elsewhere.

This list must be particularized, and may be supplemented or otherwise reviewed before the date of the Congress.

Bucharest, 15 October 2009

Prof.Dr. Ioan VIDA

President