



JUDr. Josef Baxa

President of the Constitutional Court of the Czech Republic
Joštova 8, 660 83 Brno



Brno, 24 February 2025

Addressed to the Presidents/Chief Justices of the CECC Member Courts

Dear President/Chief Justice,

I am addressing you with regard to the point VI.1 of the draft agenda for the forthcoming meeting of the Circle of Presidents (scheduled for Friday 28 February 2025). In the abovementioned point, the Constitutional Court of Albania has proposed to establish a unified website of the Conference of European Constitutional Court (hereafter referred to as “the CECC”).

At the very beginning, I must point out that the Constitutional Court of the Czech Republic was not informed in advance of the proposal nor was it consulted properly.

As you surely know, the Circle of Presidents of the CECC, gathered on the occasion of the XIXth Congress of the CECC on 22-23 May 2024 in Chişinău, approved a motion to *establish a permanent office of the CECC to administer the CECC general website and to keep the archive of the documents regarding the CECC activities*. It was also decided that *the Constitutional Court of the Czech Republic would act as the Permanent Office of the CECC and would fulfil the obligation connected with the role*.

Mindful of its commitment, the Constitutional Court of the Czech Republic (hereinafter referred to as Czech CC) proceeded to create a modern looking and well arranged website, to fill it with the available content (including the documents contained at the obsolete website <https://www.confconconstco.org/>) and to update it gradually with the newest information. (In this regard, we have already asked the Constitutional Court of the Republic of Moldova to provide us with the relevant documents and materials concerning the Moldovan chairmanship of the CECC.) We intended to introduce the new website during the upcoming meeting of the Circle of Presidents in Tirana. In view of recent developments, I invite you to familiarize yourself with the website now at www.cecc-general.org.

With a few exception (related to a necessity to translate the texts into all official CECC languages and procure the missing documents and information) the website is complete. The Czech CC has invested its own financial resources, a large amount of time and workforce in the creating, filling and administration of the website. I very much hope you will be pleased with the result and the website will serve its purpose well.

For all these reasons, I am concerned about the aforementioned proposal of the Constitutional Court of Albania. If the decision from last May were to be reversed, our work and all that we have put into it, would be in vain. I regret this even more because the Constitutional Court of Albania did not consult with us in advance about the inclusion of such a proposal on the agenda of the forthcoming meeting of the Circle of Presidents.

It is true that by the end of July 2024, the representatives of the Constitutional Court of Albania approached the Czech CC with a proposition to create a single CECC website. The Czech CC politely replied that it could not consent to this suggestion for it had not a mandate to create and manage the website that would cover the activities of the CECC presidency. The Czech CC also pointed out that it is not possible to preclude the future presiding courts from creating the websites of their respective presidencies, whether they would reserve a space (a section) at its own court website or whether they would create a brand new specifically targeted website. The Czech CC made it clear, that it would be very glad to create a visible and clear link between the general website and the presidency website.

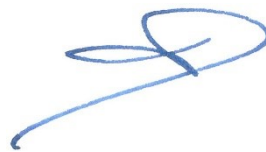
I would like to draw your attention to the Art. 13 of the Statue of the CECC stipulating that *The Secretariat of the Conference shall be provided by the Court organising the next Congress*. In conceptualizing the Permanent Office of the CECC, we kept in mind that it is not possible to interfere in the competence and work of the presiding Court providing the Secretariat of the Conference. It is up to the presiding Court whether it proceeds to create a website or not. There is no such obligation in the Statue or Regulations of the CECC. It is an option that has been used in the past and sometimes not.

The Czech CC is prepared to publish all the relevant documents and information on the CECC general website once the CECC event, be it the Circle of Presidents, the Congress or the correspondence voting, is completed. The Czech CC is also pleased to communicate and cooperate closely with a presiding Court, as it has done in the past. However, it would be incorrect and unfair to compel the Czech CC to take on the work of the Secretariat of the Conference (of the CECC presiding Court). The preparation of and the communication on the upcoming CECC events is and should be the responsibility of the CECC presiding Court.

For all these reasons, I would like to ask the President of the Constitutional Court of Albania to reconsider her proposal. I firmly believe that this was rather a misunderstanding and that the hard work of the Czech CC will not be wasted.

At the same time, I would like to ask the President of the Constitutional Court of Albania to include on the agenda of the upcoming meeting of the Circle of Presidents (scheduled to be held on 28 February 2025) the presentation of the CECC general website that has been created following the decision of the Circle of Presidents that met in May 2024 in Chişinău.

I avail myself of this opportunity to extend to you, dear President/Chief Justice, the assurance of my highest consideration.

A handwritten signature in blue ink, consisting of a stylized 'J' followed by a loop and a long horizontal stroke.

Josef Baxa

President of the Constitutional Court