



European Association of Legislation

NEWSLETTER NO. 19

December 2005

Board:

Prof. Dr. Ulrich Karpen, University of Hamburg (Chairman)
Prof. Dr. St. John N. Bates, Isle of Man
Prof. Dr. Jean-Pierre Duprat, University of Bordeaux
Prof. Dr. Slamowira Wronkowska-Jaskiewicz, Poznań University
Dr. Marta Tavares de Almeida, University of Lisbon

Address:

Prof. Dr. Ulrich Karpen, Universität Hamburg, Fakultät für Rechtswissenschaft,
Seminar für Öffentliches Recht und Staatslehre, Schlüterstrasse 28, D-20146 Hamburg

Phone: +49 40 42838-3023 or +49 40 42838-7848

Fax:

+49 40 42838-7848

Bank:

Sparkasse Bonn, Bank-Code 380 500 00,
Account number: 19 00 30 78

Table of Contents:

1. Sixth Congress
2. Other Activities
3. Members
4. Publications
 - a) EAL
 - b) Other Publications
5. Board Activities
6. Varia

Dear Members and Friends,

1. Seventh Congress of the EAL, The Hague, Netherlands

The Seventh Congress of the European Association of Legislation

The Academy for Legislation announces the **Seventh Congress of the European Association of Legislation** as follows:

Following the successful 6th EAL-Congress in Bern, Switzerland, the Academy of Legislation and the **Centre of Expertise on Legislation of the Dutch Ministry of Justice**, are happy to announce, that the 7th Congress of The European Association of Legislation (EAL) 2006 will be held on **31st May, 1st June in The Hague, Netherlands**.

In most European states, the strive for continuous improvement of the quality of legislation coincides with a growing concern and attention for the education and training of legislative lawyers. A basic question relates to

what legal drafters need to know in different stages of their career, in order to carry out their work successfully. It refers equally to the scope and shape of the *education permanente* for this craft. These topics and others will be enclosed by the theme ‘**The Learning Legislator**’.

The programme for the 2-day event has a draft status: the secretariat is still in the process of approaching keynote speakers and establishing sub themes in more detail. By mid December we will be able to disclose more information about the upcoming event on the Congress website (www.eal2006.org).

Furthermore, we intend to make an inventory of the European institutes and organisations, which are concerned with education and research in the field of ‘legislation’.

In order to make ‘the picture of this landscape’ as accurate as possible, we invite you to react (info@eal2006.org). It will enable us to send you a questionnaire.

EAL-members also might be able to alert other relevant organisations on our initiative. We would highly appreciate your cooperation.

Your reaction will also allow us to inform you more directly on developments concerning the Congress.

The results of the questionnaire will be published in a first edition of a European guide of legislation oriented institutes. The publication of the inventory will be handed out to the participants during the Congress. After the event, the guide will be accessible through the internet.

If case you have any questions or suggestions for the Congress, please don't hesitate to contact us. We will be happy to hear from you (info@eal2006.org). In any case, we are looking forward to see you in The Hague!

Chris Moll

Secretariat EAL 2006 Congress

Academy for Legislation

2. Other Activities

a. Recent Activities

The Faculty of Industrial, Commercial and European Law of **University of Salzburg** held a Symposium in cooperation with the Federal Ministry of Justice and Federal Chancellery: "**10 Years of Application of the European Law in Austria**" (10 Jahre Anwendung des Gemeinschaftsrechts in Österreich) (17, 18 November 2005, Salzburg).

For more information please contact: Univ.-Ass. Dr. Günther Herzig or Martina Ullrich, Fachbereich Arbeits-, Wirtschafts- und Europarecht der Universität Salzburg, Churfürststr. 1, A-5020 Salzburg, phone: +43 662 8044-3525/-3509, fax: +43 662 6389-3525/8044-143, e-mail: Guenter.Herzig@sbg.ac.at or Martina.Ullrich@sbg.ac.at.

The fifth conference of the **Centre of Legislation** (Zentrum für Rechtssetzungslehre in Zürich) has taken place on 4 November 2005. The topic was: "**The Implementation of the new Federal Supreme Court Law into the Cantons**" (Zur Einführung des neuen Bundesgerichtsgesetzes in den Kantonen).

For more information please contact: Zentrum für Rechtssetzungslehre, Rämistr. 74/46, CH-8057

Zürich, phone: +31 044 634 44 41, fax: +31 044 634 49 38 e-mail: zfr@rwi.unizh.ch.

A seminar "**Quality of Legislation: Estonian Perspectives**" has taken place on 11 October 2005 in Brussels. It focussed on the quality of legislation from the perspective of a new Member State and was interesting for all those involved in the legislative process.

For more information please contact: Juristes-Reviseurs@cec.eu.int.

The **XII Jornadas de la Asociación Española de Letrados de Parlamentos** has taken place in the Parlamento de Andalucía in **Sevilla** at 21, 22, 23 September 2005. Around 60 participants, which were all legal advisers of the Cortes and Spanish Regional Parliaments, as well as US-American, British, French and German Experts, have contributed to this Congress. A Publication in English and Spanish is in preparation.

For more information please contact: Elia Montero/Jacinto Cruz, Parlamento de Andalucía, Secretaría General, C./Parlamento de Andalucía, s/n. 41009 Sevilla, phone: +34 954 592 299/300, fax: +34 954 592 103, e-mail: sec.general@parlamento-and.es.

On 12 September 2005 the Colloquium "Cooperation at the Enforcement of International Projects" (Kolloquium "Koooperation bei der Durchführung internationaler Projekte") has taken place in the German Bundestag, Berlin.

For more information please contact: Dr. Ulrich Schöler, Deutscher Bundestag – Verwaltung -, PB Unterabteilung Internationale Beziehungen, Platz der Republik 1, D-011 Berlin, phone: +49-30-227-39336, fax: +49-30-227-36507; e-mail: vorzimmer.pb@bundestag.de.

The **International Legislative Drafting Institute** has held its Annual International Legislative Drafting Congress from 13-24 June 2004 in New Orleans, Louisiana, USA.

For further information please contact: The Public Law Center, 6329 Freret St., Suite 130, New Orleans, LA, 70118, U.S.A., phone: 504-862-8850, e-mail: tplc@law.tulane.edu.

The German Association of Legislation e.V. (Deutsche Gesellschaft für Gesetzgebung e.V.) has held a Conference „**Advisory of Parliaments and Politics Abroad**“ ("Parlaments- und Politikberatung im Ausland") on 6 June 2005 at the German Bundesrat, Berlin.

Around 20 Organisations and Institutions which are working in this field have participated.

For more information please contact: Zentrum für Rechtssetzungslehre, Wilfriedstr. 6, CH-8032 Zürich, phone: +31 01 634 30 19, e-mail: zfr@rwi.unizh.ch.

For more information please contact: Deutsche Gesellschaft für Gesetzgebung e.V., c/o Prof. Dr. Ulrich Karpen, Universität Hamburg, Fakultät für Rechtswissenschaft, Seminar für Öffentliches Recht und Staatslehre, Schlüterstrasse 28, D-20146 Hamburg, phone: +49 40 42838-3023/-7848, fax: +49 40 42838-7848, e-mail: dggev@web.de.

The **European Public Law Center** has organised a Congress on **E-Democracy** in Athens, Greece from 2-5 June 2005. The publication of the Congress is forthcoming.

For more information please contact: Professor Spyridon Flogaitis, European Public Law Center, 16 Achaïou Street, 10675 Athens – Greece, Tel: +30 210 725 8801, Fax: +30 210 725 8040, e-mail: info@eplc.gr.

The Swiss Association of Legislation (SSL) has held a scientific seminar with the topic “**Legislation and its time: Interim Law, Phased Coming into Effect, Parallel Legislation**” (Die Gesetzgebung und ihre Zeit: Übergangsrecht, gestaffelte Inkraftsetzung, Parallelgesetzgebung) (20 May 2004, Bern).

For more information please contact: Jean-Christophe Geiser, c/o Office fédéral de la justice, CH-3003 Bern, phone: +31 322 47 44, fax: +31 322 84 01, e-mail: jean-christophe.geiser@bj.admin.ch.

Two of the latest topics of the **Academy of European Law (ERA)** (Europäische Rechtsakademie Trier) were a **Summer Course on EU Constitutional & Institutional Law** (22-24 June 2005, Trier) and “**Culture and Market: Europe’s Balancing Act?**” (Rechtsmittel zum Schutz von Grundrechten in der Europäischen Union) (2-3 June 2005, Trier).

For more information please contact: Europäische Rechtsakademie Trier, Metzger Allee 4 D-54295 Trier, phone: +49 651 937 37 0, fax: +49 651 937 37 90, e-mail: info@era.int, www.era.int.

The fourth conference of the **Centre of Legislation** (Zentrum für Rechtssetzungslehre im Zürich) has taken place at 7 September 2004. The topic was: “**The Act of Combination of Politics and Administration in Legislation**” (Zusammenwirken von Politik und Verwaltung bei der Gesetzgebung).

b. Future Activities

As far as further activities are concerned the board is more and more frequently asked to present experts namely for teaching, guiding and counselling parliaments and deputies in Eastern European countries, which are in the transformation process. Capacity of the EAL is appreciated in particular since our association is not partisan and not associated to special nations. In other words the idea of the EAL works as it should work.

So currently members of the board are active to council parliaments and governments in legislation-issues in Bosnia and Herzegovina, Belarus, Liberia and Afghanistan.

3. Members

New members will accede to the EAL from Belarus and Bosnia and Herzegovina.

4. Publications

a. EAL

We are happy to inform you that four new titles of the EAL publications series have been published. Therefore, the series has extended to **eleven** publications:

No. 7 – “The judge as a surrogate legislator” (publication in German language: “Der Richter als Ersatzgesetzgeber“).

No. 8 – “E-Government”: Report on the proceedings of the Fifth Congress of the EAL in Athens, 2002.

No. 9 – “Civil Society”: Report on the Sixth Congress of the EAL in Bern, 2004.

No. 10 – “Electronic Elections. Some constitutional Questions”: (publication in German language: “Elektronische Wahlen? Einige verfassungsrechtliche Fragen“).

No. 11 – “Maritime Safety - Current Problems of Use of the Baltic Sea”: Report on a Conference in Cooperation with the International Tribunal for the Law of the Sea, 2004.

b. Other Publications

For consultants-work in legislatures and governments of various countries, the EAL prepared **Legislative Drafting - A Reader**, edited by Professor Dr. iur. Ulrich Karpen and Ex. iur. Nils Mölle, Hamburg 2003. It covers some 600 pages of materials, concerning the Legislative Procedure, Standards for Law Drafting and Evaluation of Bills and Laws. This Reader may be copied on demand.

Our member Prof. Dr. LucWitgens has written a second Ph D thesis in January 2005 at the Université Libre de Bruxelles. The title of the work is: **The Justification of Legislation. An Introduction to Legisprudence, a New Theory of Legislation**. The paper is published under:

<https://www.ashgate.com/shopping/title.asp?key1=&key2=&orig=results&isbn=0%207546%202461%207>.

5. Board Activities

The board is preparing in co-operation with our Dutch friends the next congress (in the Netherlands).

6. Varia

The German Association of Legislation e.V. (Deutsche Gesellschaft für Gesetzgebung e.V.) is able to offer a „**Prize for Good Legislation**“, which is sponsored by the “Stiftung Apfelbaum”.

We have established a **membership for students** with an annual membership fee of € 15.

The **Europa Law Publishing** is a legal publisher specializing in European Union law, international trade law, environmental law and comparative national law.

For more information please contact: Europa Law Publishing, PO Box 6047, 9702 HA Groningen, The Netherlands, phone: +31 50 52 5263844, fax: +31 50 5264867, e-mail: info@europalawpublishing.com, homepage: www.europalawpublishing.com

The **Università die Genova** offers a Post-graduate-Studium in Legislation (Dottorato in metodi e tecniche della formazione e della valutazione delle leggi).

For more information please contact: Università di Pise, DIPU, via Balbi 22, I-16126 Genova.

The Centre of Legislation, Regulation and Legisprudence is now also online. The address is www.cwrl.be (Dutch version) and www.crlr.be (French and English version).

We are reconstructing the homepage of the EAL (www.eal-online.com) and are planning to include the next newsletter into the homepage or send it to you by e-mail. Or does it cause you any problem to read electronic messages by e-mail of www.? If so: Let me know! We then can continue paper contact with you.

Seasonal Greetings and best wishes for a prosperous new year.

Yours truly,

Prof. Dr. Ulrich Karpen