



DIRECTORATE GENERAL
HUMAN RIGHTS AND RULE OF LAW
VENICE COMMISSION



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**International High-level Conference
“Respect for the Decisions of Constitutional Courts”**

Yerevan, Armenia

14-15 November 2024

**Marriott Armenia Hotel Yerevan
Hall “Tigran the Great”**

PROGRAMME

Background

The international high-level conference titled “Respect for the Decisions of Constitutional Courts” aims to underscore the paramount importance of constitutional court decisions in safeguarding the rule of law and human rights across national and international jurisdictions. The conference will convene constitutional court judges, liaison officers, Venice Commission members, and representatives from the Council of Europe to engage in an in-depth dialogue on how decisions of constitutional courts shall be respected by the public and different branches of power and how constitutional courts can effectively bridge national legal systems with international human rights frameworks. In an era where human rights are continually evolving, the role of constitutional courts becomes indispensable in interpreting and implementing these rights within the national context. The keynote address and subsequent panel discussions will explore the profound influence of constitutional court decisions on national legal orders, the fostering of trans-judicial dialogues, and the reconciliation of conflicts between national and international legal systems.

One of the key highlights of the conference is the examination of how constitutional court decisions act as a nexus between national and international human rights legal orders. The first panel will address the crucial role these courts play in the implementation of the European Convention on Human Rights and other treaties, emphasising the European yardsticks for human rights standards. Participants will delve into the complexities of how constitutional court decisions and those of the European Court of Human Rights can shift from obstruction to collaboration through effective trans-judicial dialogue. The second panel will scrutinise the respect and modes of implementation of constitutional court decisions across Europe, shedding light on the delicate balance between political respect and compulsory enforcement of these decisions. The third panel will focus on the constitutional review in the context of the Rule of Law checklist of the Venice Commission and the practice of national jurisdictions in its effective application. The final panel will tackle the impact of media and social media on the perception and criticism of constitutional court decisions, exploring the limits of judicial freedom of expression and the challenges posed by other branches of power and public opinion.

The Venice Commission plays a pivotal role in this context by promoting cooperation among constitutional courts. This collaboration not only enhances the efficacy of constitutional courts but also strengthens the overall framework of democratic governance and human rights protection. The insights garnered from this conference will contribute to a deeper understanding of the challenges and opportunities faced by constitutional courts, ultimately fortifying the rule of law and human rights across diverse jurisdictions.

14 November 2024

(Yerevan time)

10:30 – 11:00 **Registration**

11:00 – 11:20 **Opening Session**

Mr Arman Dilanyan, President of the Constitutional Court of the Republic of Armenia

Mr Martin Kuijer, Vice President of the Venice Commission, Judge of the Supreme Court of the Netherlands

Ms Simona Granata-Menghini, Director, Secretary of the Venice Commission

11:20 – 11:35 **Keynote Address: The Role of the Decisions of Constitutional Courts in National Legal Order**

Mr Christoph Grabenwarter, Member of the Venice Commission in respect of Austria, President of the Constitutional Court of Austria, Chair of the Sub-commission on Constitutional Justice of the Venice Commission, Co-Chair of the Joint Council on Constitutional Justice

11:35 – 12:00 **Coffee Break**

12:00 – 12:30 **Panel Discussion I: “Decisions of the Constitutional Courts as Bridges between National and International Human Rights Legal Orders”**

Moderator: Mr Armen Harutyunyan, Judge of the European Court of Human Rights in respect of Armenia

Topics:

- The role of Courts in Ensuring Consistency in Case Law: Insights from the CCJE Opinion
- Interplay between the judgments of the ECtHR and Constitutional Courts' decisions: cross-fertilisation and cooperation through judicial dialogue
- The role of the Constitutional Courts in preventing and reconciling conflicts between national and international law

Panellists:

Mr Duro Sessa, Judge of the Supreme Court of the Republic of Croatia, President of the International Association of Judges, former President of the Consultative Council of European Judges (CCJE), former Chief Justice of Croatia, Council of Europe consultant

Mr Nicos C. Alivizatos, Member of the Venice Commission in respect of Greece, Professor Emeritus of Constitutional Law at the University of Athens

Mr Vahé Grigoryan, Vice President of the Constitutional Court of the Republic of Armenia

12:30 – 13:00 **General Discussion**

13:00 – 13:10 **Group Photo**

13:10 – 14:30 **Lunch**

14:30 – 15:00 **Panel Discussion II: “Ways of Implementation of the Decisions of Constitutional Courts”**

Moderator: Mr Valentin Georgiev, Secretary General of the Constitutional Court of Bulgaria, Co-Chair of the Joint Council on Constitutional Justice

Topics:

- Effects of the decisions of the Constitutional Court on legislation
- Effects of the decisions of the Constitutional Court on judicial decisions and interpretation
- Respect for the decisions of the Constitutional Court by the executive

Panellists:

Mr Ivo Pilving, Chairman of the Administrative Law Chamber of the Supreme Court of Estonia

Mr Nakharin Mektrairat, President of the Constitutional Court of the Kingdom of Thailand, President of the Association of Asian Constitutional Courts

Ms Lilit Tadevosyan, President of the Court of Cassation of the Republic of Armenia

Ms Srбуhi Galyan, Minister of Justice of Armenia

15:00 – 15:30 **General Discussion**

15:30 – 16:00 **Panel Discussion III: “Constitutional Review and the Rule of Law”**

Moderator: Mr Martin Kuijer, Vice-President of the Venice Commission, Judge of the Supreme Court of the Netherlands

Topics:

- The Rule of Law Checklist developed by the Venice Commission: dynamics of development
- Application of the Venice Commission's Rule of Law Checklist by national jurisdictions

Panellists:

Mr Serhiy Holovaty, Member of the Venice Commission in respect of Ukraine, former Judge of the Constitutional Court of Ukraine

Mr David Khachatryan, Judge of the Constitutional Court of Armenia,
Substitute member of the Venice Commission in respect of Armenia

Ms Aigul Kydyrbayeva, Judge of the Constitutional Court of the
Republic of Kazakhstan

16:00–16:30

Coffee Break

16:30-17:00

General Discussion

17:00 – 17:20

Wrap up: Mr Vahe Grigoryan, Vice President of the Constitutional
Court of Armenia

Ms Lilit Daneghian, Deputy Head of Cooperation Programmes Division,
Department for Implementation of Human Rights, Justice and Legal
Cooperation Standards, DGI, Council of Europe

15 November 2024

09:30 – 10:00

Registration

10:00 – 10:40

**Panel Discussion IV: “Constitutional Court Decisions in the
Media”**

Moderator: Ms Simona Granata-Menghini, Director, Secretary of
the Venice Commission

Topics:

- Criticism of constitutional court decisions by the media and social media
- Limits of freedom of expression of judges
- Criticism by other branches of power
- “Help the media help you” - or how to interact with the media

Panellists:

Ms Anna Maria Lecis Cocco Ortu, Associate Professor of Public
Law in Sciences Po, University of Bordeaux

Mr Darian Pavli, Judge of the European Court of Human Rights in
respect of Albania

Mr Vladimir Vardanyan, Member of the Venice Commission in
respect of Armenia, Chair of the Standing Committee on State and
Legal Affairs of the Armenian Parliament, Member of the
Parliamentary Assembly of the Council of Europe

Ms Molly Quell, journalist, Senior Legal Correspondent at Courthouse News Service in The Hague

10:40 – 11:10

General Discussion

11:10- 11:40

Coffee Break

11:40 – 12:10

Closing Session: Conference Summary and Final Reflections

Mr Arman Dilanyan, President of the Constitutional Court of the Republic of Armenia

Mr Christoph Grabenwarter, Member of the Venice Commission in respect of Austria, President of the Constitutional Court of Austria, Chair of the Sub-commission on Constitutional Justice of the Venice Commission, Co-Chair of the Joint Council on Constitutional Justice

Ms Simona Granata-Menghini, Director, Secretary of the Venice Commission

12:30 – 14:00

Lunch