



Strasbourg, 3 December 2015

CDL-JU(2015)025prog
CDL-LA(2015)001prog
Or. Spa.

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

in co-operation with

THE CONSTITUTIONAL TRIBUNAL OF CHILE

CONFERENCE ON
THE CONSTITUTIONAL PROTECTION OF VULNERABLE GROUPS :
A JUDICIAL DIALOGUE

Santiago, Chile

4 December de 2015 (9:00 am) – 5 December de 2015 (5:00 pm)

PROGRAMME

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THURSDAY, 3 DECEMBER 2015

AM-PM Arrival of foreign Authorities and panellists at Arturo Merino Benítez International Airport

Transfer to W Hotel

Hotel Check-in

19.00 - 21.00 Opening Dinner at W Hotel

FRIDAY, 4 DECEMBER 2015

OPENING SESSION

9:00-9:20 *Opening address*

Mr. Carlos CARMONA, President, Constitutional Court, Chile
Mr Gianni BUQUICCHIO, President, Venice Commission

SESSION I - Introducing debate: defining vulnerable groups

Chair: Mr Nelson Pozo Silva, Judge, Constitutional Court, Chile

9:20-10:00 Introducing the debate concerning the definition of vulnerable groups in the Constitutions in Europe and America: a comparative perspective

Limits and challenges regarding the constitutional definition of vulnerable groups: the Latin American experience

Mr Juan José ROMERO GUZMAN, Judge, Constitutional Court, Chile, Member of the Venice Commission

Protecting vulnerable groups in Europe: the constitutional challenges

Mr Josep CASTELLA, Spain, Member of the Venice Commission

10:00-10:40 The European and the Inter-American Courts of Human Rights' approach towards the protection of vulnerable groups: definition and case-law.

Mr Michael O'BOYLE, Former Deputy Registrar, European Court of Human Rights

Mr Roberto CALDAS, Vice-President, Judge at the Inter-American Court of Human Rights

10:40 Discussions

11:00 Family photo and Coffee break

SESSION II – Protection of migrants as a vulnerable group

Chair: Josep Castella, member of the Venice Commission, Spain

11:20-12:00 The case-law of the European and the Inter-American Courts on the protection of migrants

Mr Vio GROSSI, Judge, Inter-American Court of Human Rights

Mr Luis LOPEZ GUERRA, Judge, European Court of Human Rights

12:00-13:00 Protection of migrants at the national level: case studies

The case of Chile

Mr Domingo HERNÁNDEZ EMPARANZA, Judge, Constitutional Court, substitute member of the Venice Commission, Chile.

The case of Mexico:

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Mr Manuel GONZALEZ OROPEZA, Judge, Federal Electoral Court, Mexico, Substitute Member of the Venice Commission

The case of Costa Rica

Mr. Ernesto JINESTA LOBO, President, Constitutional Chamber of the Supreme Court of Justice, Costa Rica.

13:00-13:20 Debate

13:30-15:00 Lunch at Hotel W

SESSION III - Minorities and indigenous peoples as vulnerable groups

Chair: Mr Gonzalo García, Judge, Constitutional Court, Chile

15:00-15:40 The case-law of the European and the Inter-American Courts on the protection of minorities and indigenous peoples: redefining vulnerability

Mr Manuel VENTURA ROBLES, former President of the Inter-American Court of Human Rights

Ms MCMORROW, Senior Counsel, substitute member, Venice Commission, Ireland

15:40-16:00 Coffee break

16:00-17:00 The protection of minorities and indigenous populations at the national level: case studies

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The protection of indigenous peoples in **Bolivia**

Mr. Zenón Hugo BACARREZA MORALES, President, Constitutional Court of Bolivia

The constitutional protection of indigenous peoples in **Ecuador**

Mr. Francisco BUTIÑÁ MARTÍNEZ, judge, Constitutional Court of Ecuador

Brazil and the Federal Supreme Court's case-law

Mr Ricardo Enrique LEWANDOWSKI, President, Federal Supreme Court, Brazil, Member of the Venice Commission

17:00-17:20 Discussions

SATURDAY, 5 DECEMBER 2015

SESSION IV – Persons with disabilities as a vulnerable group: mechanisms of protection

Chair: Mr. José Luis López Guerra, Judge, European Court of Human Rights

09:30-10:10 The case-law of the European and the Inter-American Courts on persons with disabilities

Ms Cecilia MEDINA QUIROGA, Former President, Inter-American Court of Human Rights.

Ms Veronika BILKOVA, Member of the Venice Commission, Czech Republic

10:10-11:10 The protection of persons with disabilities at the national level: case studies

The case of **Peru**

Mr Oscar URVIOLA HANI, President, Constitutional Court of Peru, member of the Venice Commission

The case of **Colombia**

Ms María Victoria CALLE CORREA, President, Constitutional Court of Colombia

The case of **El Salvador**

Ms Rodolfo GONZÁLEZ BONILLA, Judge, Constitutional Chamber, Supreme Court of Justice, El Salvador.

11:10-11:30: Coffee break

SESSION V – The constitutional protection of vulnerability based on age: the protection of children and elderly people

11:30-12:10 The case-law of the European and the Inter-American Court on children and elderly people

Chair: Mr Roberto CALDAS, Vice-President, Inter-American Court of Human Rights

Mr Alberto PÉREZ PÉREZ, Judge, Inter-American Court of Human Rights

Ms Herdis KJERULF THORGEIRSDÓTTIR, Vice-President of the Venice Commission, Iceland

12:10-13:10: The protection of children and the elderly at the national level: case studies

The case of **Paraguay**

Ms Irma ALFONZO DE BOGARÍN, Appeal Court specialised in minors, Supreme Court, Paraguay

The case of **Uruguay**

Mr. Edgardo ETTLIN GUAZZO, Judge, Civil Appeals Court, Uruguay

The case of **Mexico**

Ms Carmen ALANIS, Judge, Federal Electoral Court, Substitute Member of the Venice Commission, Mexico

13:10-13:30 Debate

13:30 Conclusions and closing of the Conference

Mr Carlos CARMONA, President, Constitutional Court of Chile
Mr Oscar URVIOLA, President, Constitutional Court of Peru

14.00 – 15.30: Closing lunch at W Hotel.
Recorded copies of the Conference will be distributed

16.00 – 18.00: Meeting of the Sub-Commission on Latin America at W Hotel

SUNDAY, 6 DECEMBER 2015

12.00 Hotel Check-out

AM-PM Transfer to Arturo Merino Benítez International Airport