



Strasbourg, 4 July 2011

**CDL-LA-PV(2011)001\***  
Or. Engl

**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**  
**(VENICE COMMISSION)**

**WORKING GROUP ON LATIN AMERICA**  
**Venice, Thursday, 16 June 2011 at 4:30 pm**

**MEETING REPORT**

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### **1. Adoption of the agenda**

The agenda was adopted as it appears in the document CDL(2011)054.

### **2. Possible re-establishment of the Sub-Commission on Latin-America**

In 1995 the Venice Commission established a Sub-Commission on Latin America. It was closed in 2006 due to lack of activity. In recent years Brazil, Chile, Mexico and Peru have become member States and their individual members participate regularly in the plenary sessions. In addition, in 2010 the Commission started co-operation with Bolivia in the framework of a Joint Programme with the European Union.

Together with interested members from other regions, the revived Sub-Commission could provide input to the Venice Commission on issues relating to Latin America or/and share experience of the countries of the region. The present group of interested members could suggest to the Plenary the re-establishment of the Sub-Commission on Latin America.

The working group decided to propose at the plenary session of the Venice Commission to re-establish the Sub-Commission on Latin America.

### **3. Information on recent activities of the Venice Commission relating to Latin America**

The working group was informed about the recent activities involving countries of Latin America which had taken place in 2011, notably on:

- the seminar which took place in Bolivia on the "role of prosecutors in a democratic society", Sucre, 17 and May 18, 2011 (following the adoption of the Opinion on the Draft Organic Law of the Public Prosecutor's Office of Bolivia, Venice, 25-26 March 2011, requested by the European Union in the framework of the co-operation programme with Bolivia);
- publication of the Code of good practice in electoral matters in Spanish by the Electoral Tribunal of Mexico;
- participation of Latin American electoral management bodies at the European Conference of Electoral Management Bodies (EMB) in Vienna, on 12 – 13 May 2011.

### **4. Upcoming activities**

On 7 June 2011, the Constitutional Court of Peru has requested an *amicus curiae brief* from the Venice Commission concerning a pending case on the retroactivity on the punishment for crimes against humanity.

The participants were informed about the conference with the Constitutional Court of Bolivia on the guiding principles of constitutional justice with a particular focus on indigenous justice (Santa Cruz de La Sierra, on 7 and 8 July).

The Working Group was also informed about:

- the possible co-operation with the association of Latin American electoral management bodies UNIORE, notably in preparing a joint meeting of representatives of UNIORE and European Electoral Management Bodies which could be organised in 2012;

- the intention of the Constitutional Court of Chile to translate and publish the Report on individual access to constitutional justice of the Venice Commission and invitation to attend a colloquium on the challenges of constitutional justice that would take place in Chile in September 2011.

#### **5. Other business**

The working group elected Ms María del Carmen Alanis Figueroa as its Chair.

**LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS**

**Brazil**

Mr Joao Batista DO NASCIMENTO MAGALHAES

**Chile**

Ms Marisol PENA TORRES

**Hungary**

Mr Peter PACZOLAY

**Ireland**

Ms Finola FLANAGAN

**Italy**

Mr Gianni BUQUICCHIO (**President of the Venice Commission**)

**Mexico**

Ms Maria del Carmen ALANIS FIGUEROA (**Chair**)

Mr Manuel GONZALEZ OROPEZA

Mr Hector DAVALOS MARTINEZ

**Montenegro**

Mr Srdjan DARMANOVIC

**Peru**

Mr Carlos MESIA RAMIREZ

**Portugal**

Mme Maria Fernanda PALMA

**Sweden**

Mr Johan HIRSCHFELDT

**« The Former Yugoslav Republic of Macedonia »**

Ms Gordana SILJANOVSKA-DAVKOVA

**Secrétariat / Secretariat**

Mr Schnutz DÜRR

Mr Serguei KOUZNETSOV