



Strasbourg/Vilnius, 5 September 2017

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4th Congress of the World Conference on Constitutional Justice

THE RULE OF LAW AND CONSTITUTIONAL JUSTICE IN THE MODERN WORLD

Vilnius, Republic of Lithuania, 11-14 September 2017

Programme and functioning of the sessions

Sunday, 10 September 2017

Arrival and registration (at the respective hotels)

19:30-21:30 **Dinner at the restaurant Riverside (Radisson Blu Hotel Lietuva)**

Monday, 11 September 2017

Arrival and registration (at the respective hotels)

12:30-14:00 **Luncheon at the Radisson Blu Hotel Lietuva**

Meetings of the regional and linguistic groups

Venue: Radisson Blu Hotel Lietuva

Address: Konstitucijos pr. 20, Vilnius

The groups are free to use these meetings to discuss the main topic of the Congress 'The Rule of Law and Constitutional Justice in the Modern World', to prepare the 'stocktaking on the independence of the constitutional courts' or to deal with any other topic they wish to discuss. Court members of more than one group, which are meeting at the same time, are invited to split their delegation. Four rooms will be made available for group meetings, which have been assigned to groups according to their size and other needs: Room Alfa (1); Room Lambda (2), Room Zeta (3), and Room Epsilon (4).

14:00-15:00 **Room Alfa:** Conference of Constitutional Jurisdictions of Africa – CCJA

Chair: Mr MOGOENG MOGOENG, Chief Justice, Constitutional Court, South Africa

Room Zeta: Ibero-American Conference of Constitutional Justice – CIJC

Chair: Mr Luis Ramón FÁBREGA SÁNCHEZ, Judge, Supreme Court of Justice, Panama

Room Epsilon: Conference of Constitutional Control Organs of the Countries of New Democracy – CCCOCND

Chair: Mr Gagik HARUTYUNYAN, President, Constitutional Court, Armenia

15:00-16:00 **Room Alfa:** Association of Asian Constitutional Courts and Equivalent Institutions (AACC)

Chair: Mr Zulkefli AHMAD MAKINUDIN, President, Court of Appeal, Malaysia

Room Lambda: Southern African Chief Justices Forum – SACJF and Commonwealth Courts

Co-chairs: Ms Irene Chirwa MAMBILIMA, Chief Justice, Supreme Court, Zambia; Mr Richard WAGNER, Justice, Supreme Court, Canada

Room Zeta: Association of Constitutional Courts using the French Language – ACCPUF

Chair: Mr Ulrich MEYER, President, Federal Court, Switzerland

16:00-17:00 **Room Alfa:** Conference of European Constitutional Courts – CECC

Chair: Mr Jaroslav FENYK, Vice-President, Constitutional Court, Czech Republic

Room Lambda: Union of Arab Constitutional Courts and Councils – UACCC

Chair: Mr Sghair M'Bareck SAID, President, Constitutional Council, Mauritania

Room Epsilon: Conference of Constitutional Jurisdictions of the Portuguese-Speaking Countries – CJCPLP

Chair: Mr Fernando Jorge RIBEIRO, Judge, Supreme Court of Justice, Guinea-Bissau

17:00-18:00 **Meeting of the Bureau of the World Conference** (Room Alfa, Hotel Radisson)

- Chair: Mr MOGOENG MOGOENG, Chief Justice, Constitutional Court, South Africa

19:30-23:00 **Gala Dinner**

Venue: National Museum – Palace of the Grand Dukes of Lithuania
Address: Katedros a. 4, Vilnius

Tuesday, 12 September 2017

Venue: National Gallery of Art
Address: Konstitucijos pr. 22, Vilnius

09:00-10:00 **Registration**

10:00-10:40 **Opening ceremony**

- Chair: Mr Dainius ŽALIMAS, President, Constitutional Court, Republic of Lithuania

Opening statements

- Mr Dainius ŽALIMAS, President, Constitutional Court, Republic of Lithuania
- H. E. Dalia GRYBAUSKAITĖ, President, Republic of Lithuania
- Mr Linos-Alexandre SICILIANOS, Vice-President, European Court of Human Rights
- Mr Gianni BUQUICCHIO, President, Venice Commission, Council of Europe

Family photo

10:40-11:00 **Coffee break**

Functioning of the sessions

Session chairs (up to 7 min for introductory statements, plus up to 8 min for comments, conclusions)

The role of session chairs is to moderate the discussions (with a possibility of making a short introductory statement of no more than 7 min). The main task of the session chairs is to stimulate discussions after the key-note speech.

To the extent possible, the session chair will give the floor to the participants in the order of submission of requests to take the floor.

The session chairs are invited to strictly apply the rule of a maximum of 5 min per intervention per participant.

Key-note speakers (25 min at each session)

The key-note speakers are invited to make introductory statements for each session on the basis of the members' replies to the questionnaire. The key-note speeches will refer to the replies to the questionnaire, identify salient general trends as well as outstanding exceptions.

Respondents (10 min at each session)

The respondents take up the presentation of the key-note speaker and develop the concepts presented there.

Rapporteurs (10 min at the closing session)

The rapporteurs will be invited to report at the closing session on the results of the discussions during the earlier sessions. Their presentation should be based both on the key-note speech and on the discussion held during the session. Like the key-note speech, this report should point to general trends, but may also refer to exceptions to these trends.

Participants (approximately 40 min at each session)

Following each presentation by the key-note speakers, all participants will be able to make interventions of a maximum of 5 min. The session chairs will interrupt participants who do not respect this rule.

As the largest part of the time in each session is reserved for interventions, each participant (not only heads of delegations) is kindly invited to actively contribute to the discussion. The participants should react to arguments presented in the key-note speech or highlight important additional issues. They may provide examples from the case-law of their Court or Council and they may ask other courts questions.

The time for discussion during the sessions is limited. Unless the participants wish to raise a specific point, which is important for the discussion, they are kindly invited to refrain from merely pointing out omissions or errors in the key-note speeches. This information is of course important, but should be passed on to the key-note speakers and the secretariat (if possible in writing) so that the final versions of the key-note speeches can be corrected.

The active contribution of the participants in the sessions is essential for a lively discussion and for the success of the 4th Congress.

11:00-12:30 Session 1 – The different concepts of the rule of law

- Chair: Mr Adel Omar SHERIF, Vice-President, Supreme Constitutional Court, Egypt
- Key-note presentation: Mr Yi-Su KIM, President, Constitutional Court, Korea (25 min)
- Respondent: Mr Mourad MEDELICI, President, Constitutional Council, Algeria (10 min)
- Interventions of participants (up to 5 min each)
- Rapporteur: Mr Rakhmet MUKASHEV, Member, Constitutional Council, Kazakhstan (will report at the closing session on the results of the discussions)

12:30-14:00 Luncheon

14:00-15:30 Session 2 – New challenges to the rule of law

- Chair: Mr Farhad ABDULLAYEV, Chairman, Constitutional Court, Azerbaijan
- Key-note presentation: Mr Dainius ŽALIMAS, President, Constitutional Court, Republic of Lithuania (25 min)
- Respondent: Mr Ben VERMEULEN, Judge, Council of State, the Netherlands, Presentation of the Venice Commission's Rule of Law Checklist (10 min)
- Interventions of participants (up to 5 min each)

- Rapporteur: Mr Claudio Ramos MONTEIRO, Justice, Constitutional Court, Portugal (will report at the closing session on the results of the discussions)

15:30-16:00 **Coffee break**

16:00-17:30 **2nd General Assembly** (Members only)

- Chair: Mr Dainius ŽALIMAS, President, Constitutional Court, Republic of Lithuania

19:30-22:00 **Official Reception**

Venue: Martynas Mažvydas National Library of Lithuania
Address: Gedimino pr. 51, Vilnius

Wednesday, 13 September 2017

Venue: National Gallery of Art
Address: Konstitucijos pr. 22, Vilnius

09:00-10:30 **Session 3 – The law and the state**

- Chair: Mr Fernando Jorge RIBEIRO, Judge, Supreme Court of Justice, Guinea-Bissau
- Key-note presentation: Mr Alexandru TĂNASE, former President, Constitutional Court, Republic of Moldova (25 min)
- Respondent: Mr Gagik HARUTYUNYAN, President, Constitutional Court, Armenia (10 min)
- Interventions of participants (up to 5 min each)
- Rapporteur: Ms Pamela MARTÍNEZ DE SALAZAR, Vice-President Constitutional Court, Ecuador (will report at the closing session on the results of the discussions)

10:30-11:00 **Coffee break**

11:00-12:30 **Session 4 – The law and the individual**

- Chair: Mr Gediminas MESONIS, Justice, Constitutional Court, Republic of Lithuania
- Key-note presentation: Mr Christoph GRABENWARTER, Justice, Constitutional Court, Austria (25 min)
- Respondent: Mr MOGOENG MOGOENG, Chief Justice, Constitutional Court, South Africa (10 min)
- Interventions of participants (up to 5 min each)
- Rapporteur: Ms Maria Farida INDRATI, Justice, Constitutional Court, Indonesia (will report at the closing session on the results of the discussions)

12:30-14:00 **Luncheon**

13.30-14.00 **Presentation of the CODICES database (in English only)**, Mr Schnutz Rudolf DÜRR, Secretary General, World Conference on Constitutional Justice (**optional**)

14:00-15:30 **Session 5 – Independence of Constitutional Courts – stocktaking**
(Members only)

A separate programme at the National Gallery of Art will be offered for other guests

- Chair: Mr Ulrich MEYER, President, Federal Tribunal, Switzerland
- Key-note presentation: Mr Richard WAGNER, Justice, Supreme Court, Canada (25 min)
- Respondent: Mr Domingo Hernández EMPARANZA, Minister, Constitutional Court, Chile (10 min)
- Interventions of participants (up to 5 min each)
- Rapporteur: Mr Christian Baptiste Quentin ROGOMBE, Justice, Constitutional Court, Gabon (will report at the closing session on the results of the discussions)

15:30-16:00 **Coffee break**

16:00-17:30 **Closing session**

- Chair: Mr Gianni BUQUICCHIO, President, Venice Commission, Council of Europe

Reports on the sessions by the rapporteurs (10 min):

- Session 1: Mr Rakhmet MUKASHEV, Member, Constitutional Council, Kazakhstan
- Session 2: Mr Claudio Ramos MONTEIRO, Justice, Constitutional Court, Portugal
- Session 3: Ms Pamela MARTÍNEZ DE SALAZAR, Vice-President, Constitutional Court, Ecuador
- Session 4: Ms Maria Farida INDRATI, Justice, Constitutional Court, Indonesia
- Session 5: Mr Christian Baptiste Quentin ROGOMBE, Justice, Constitutional Court, Gabon

Discussion

Adoption of the Vilnius Communiqué

Closing remarks

- Mr Gianni BUQUICCHIO, President, Venice Commission of the Council of Europe
- Mr Dainius ŽALIMAS, President, Constitutional Court, Republic of Lithuania

19:30-22:30 **Farewell Dinner**

Venue: National Museum – Palace of the Grand Dukes of Lithuania
Address: Katedros a. 4, Vilnius

Thursday, 14 September 2017

Cultural programmes

Friday, 15 September 2017

Departure