



Strasbourg, 29 November 2016

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

in co-operation with

**THE INTERNATIONAL INSTITUTE FOR DEMOCRACY**  
**AND ELECTORAL ASSISTANCE – IDEA**

and

**THE INTERNATIONAL ASSOCIATION**  
**OF CONSTITUTIONAL LAWYERS – IACL-AIDC**

under the auspices of

**THE MINISTRY OF FOREIGN AFFAIRS OF ITALY**

**CONFERENCE ON**  
**“GLOBAL CONSTITUTIONAL DISCOURSE**  
**AND TRANSNATIONAL CONSTITUTIONAL ACTIVITY”**

**PALAZZO DUCALE, PIAZZA SAN MARCO**  
**SALA DEL PIOVEGO**  
**VENICE, ITALY**

**7 December 2016 from 9.00 am to 6.00 pm**

**PROGRAMME**

Introduction:

Recent decades have witnessed the emergence of a global constitutional discourse. In an unprecedented way constitutional ideas move across political boundaries and even from continent to continent. Drafters of constitutions draw from the experience of other polities, constitutional and supreme courts from the arguments of courts of other jurisdictions, supranational courts seek to enforce common legal standards across different national jurisdictions and different regional organizations promote norms of constitutional design.

The development has had its critics as well. Doubts have been raised as to how free the movement of constitutional ideas really is and how representative of different constitutional cultures global debates really are. Undoubtedly, the relationship between universalism and the diversity of constitutional cultures is a key issue in assessing constitutional globalization.

The break-down of constitutional boundaries has institutional manifestations too. Transnational associations, networks and publication fora, connecting constitutional actors, abound. The European Commission for Democracy through Law (Venice Commission) of the Council of Europe, the International Institute for Democracy and Electoral Assistance (IDEA) and the International Association of Constitutional Law (IACL) epitomize three different institutional manifestations of transnational constitutional activity. These institutions have decided to organize a seminar to discuss common issues related to the enhanced significance of comparative constitutional law and the build-up of global constitutional wisdom.

Format:

The one-day symposium will take place on 7 December and is hosted by the Venice Commission on the eve of their plenary session. After introductory remarks and a keynote speech, the programme is divided into three panels organized by each of the three institutions. The panel of the Venice Commission will discuss the significance of comparative arguments in its work, the panel of the IDEA will focus on external assistance to constitutional design, and comment on some of the obstacles to the migration of constitutional ideas in particular in non-European contexts, and the panel of the IACL will focus on drafting processes and the role of international norms and practices in shaping them.

## **PROGRAMME**

- 9.00 am Arrival and Registration
- 9.15 am **Welcoming Remarks**  
Mr Gianni Buquicchio, President of the Venice Commission  
Mr Yves Leterme, Secretary General of International IDEA  
Mr Manuel José Cepeda-Espinosa, President of IACL
- 9.30 am – 10.00 am **Keynote Address**  
Mr Bruce Ackerman, Sterling Professor of Law and Political Science, Yale Law School, USA.  
*“Reorganizing NATO: Europe’s Last Chance to Preserve Fundamental Rights”*
- 10.00 am – 10.30 am Questions and Discussion
- 10.30 am -10.45 am Coffee break
- 10.45 am – 12.15 pm **First Panel – Venice Commission**  
**“The significance of comparative arguments in the work of the Venice Commission”**  
  
Chair: Mr Fredrik Sejersted, Attorney General; former Substitute Member of the Venice Commission in respect of Norway  
  
Mr Kaarlo Tuori, Professor of Jurisprudence, University of Helsinki; Member of the Venice Commission in respect of Finland  
*“From a European to a universal constitutional heritage?”*  
  
Mr Sergio Bartole, Emeritus Professor of Constitutional Law, University of Trieste; Substitute Member of the Venice Commission in respect of Italy  
*“Sources and criteria of the identification of the Constitutional heritage”*  
  
Ms Hanna Suchocka, Chair of Constitutional Law, Adam Mickiewicz University, Poznan, Poland; Honorary President of the Venice Commission  
*“Constitutional heritage and forms of government”*
- 12.15 pm – 1.45 pm Lunch Break
- 1.45 pm – 3.15 pm **Second Panel - International IDEA**  
**“External assistance to constitutional design”**  
  
Chair: Ms. Kristin Hefre, Senior Adviser, Royal Norwegian Ministry of Foreign Affairs. Section for Human Rights and Democracy

Ms Cheryl Saunders, Laureate Professor, Melbourne University Law School; Senior Technical Advisor to International IDEA Constitution Building Programme; President Emeritus of IACL  
*“Constitution building as applied comparative constitutional law”*

Mr Nicholas Haysom, UN Special Envoy for Sudan and South Sudan; Member, Board of Advisors to International IDEA  
*“Constitution building as peace building”*

Mr Sumit Bisarya, Senior Project Manager - Constitution Building, International IDEA.  
*“Tailoring international assistance to the forces and mechanisms of constitution building”*

Mr Asanga Welikala, Lecturer in Public Law, Associate Director, Edinburgh Centre for Constitutional Law, Edinburgh Law School, University of Edinburgh, Scotland, United Kingdom  
*“The challenges to liberal democratic constitutional models in plurinational contexts”*

3.15 pm – 3.30 pm

Coffee Break

3.30 pm – 5.00 pm

**Third Panel – IACL**  
**“Drafting processes and the role of international norms and practices in shaping them”**

Chair: Ms Eva Brems, Professor of Human Rights Center, Ghent University, Belgium

Ms Christina Murray, Director, Bingham Center for Rule of Law, United Kingdom  
*“An internal view on external constitutional advice”*

Mr Tom Ginsburg, Professor of International Law and of Political Science; Deputy Dean, University of Chicago School of Law; Research Professor, American Bar Foundation, USA.  
*“External advice and public participation”*

Mr Zaid Al Ali, Senior Programme Officer, Constitution Building, International IDEA  
*“On the incoherence of external advice to countries in transition”*

5.00 pm – 5.30 pm

General Discussion

5.30 pm – 6.00 pm

Concluding Remarks  
Mr Kaarlo Tuori, Venice Commission  
Mr Sumit Bisarya, International IDEA  
Mr Manuel José Cepeda-Espinosa, President of IACL

The conference will be followed by a cultural event from 6.00 pm to 7.00 pm.