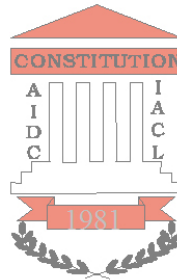




Presidência Portuguesa do Comité de Ministros do Conselho da Europa  
*Portuguese Chairmanship of the Committee of Ministers of the Council of Europe*  
*Présidence Portugaise du Comité des Ministres du Conseil de l'Europe*



Strasbourg, 4 October 2005

CDL-UD(2005)011prog.  
Or. Engl.

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

in the framework of

**THE ACTIVITIES OF THE PORTUGUESE CHAIRMANSHIP  
OF THE COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE**

in co-operation with

**THE UNIVERSITY OF COIMBRA  
*IUS GENTIUM CONIMBRIGAE CENTRE*  
*THE FACULTY OF LAW***

**&**

**THE INTERNATIONAL ASSOCIATION OF CONSTITUTIONAL LAW - IACL**

**UNIDEM Seminar**

**“THE STATUS  
OF INTERNATIONAL TREATIES  
ON HUMAN RIGHTS”**

**Faculdade de Direito da Universidade de Coimbra,  
Pátio da Universidade  
*Auditorium of the Law Faculty***

**COIMBRA, PORTUGAL**

**7 – 8 October 2005**

**DRAFT PROGRAMME**

**Friday 7 October 2005**

9h30-13h00

- 09h00-09h30 Registration of participants
- 09h30-10h00 Welcome addresses:  
Mr José Manuel AROSO LINHARES, Vice-Dean of the Law Faculty of Coimbra;  
Mr Gianni BUQUICCHIO, Secretary of the Venice Commission;  
Mr Cesare PINELLI, Member of IACL

**First session**

**The status of Human Rights Treaties in international law**

- Moderator : Mr Rui MOURA-RAMOS, Professor of International Law, Coimbra University, Vice-President of the Constitutional Court of Portugal
- 10h00 - 10h30 *International human rights treaties: a special category of international treaty ?*  
Report by Mr Alexandre Ch. KISS, President, European Council of Environment, Robert Schuman University, Strasbourg, France
- 10h30 – 11h00 *Human Rights treaties and succession of states*  
Report by Mr Menno KAMMINGA, Professor of Public International Law, Maastricht University, Co-director of the Maastricht Centre for Human Rights, the Netherlands
- 11h00 – 11h30 *Human Rights Treaties and the Vienna Convention on the Law of Treaties - Conflicts or Harmony?*  
Report by Mr Martin SCHEININ, Professor of Constitutional and International Law, Director of the Institute for Human Rights, Åbo Akademi University, Finland, Member of IACL
- 11h30-11h45 Coffee break
- 11h45-12h15 *The territorial scope of human rights obligations*  
Report by Mr Christos ROZAKIS, Judge at the European Court of Human Rights, Greece
- 12h15-13h15 Discussion
- 13h15-13h30 Conclusions  
“Are or should treaties on human rights be given a special status in international law?”
- 13h30 Lunch
- 15h00-15h30 Guided Tour

*Second Session*

**Friday 7 October 2005**

15h00-18h30

***The status of Human Rights Treaties in domestic legal systems***

Moderator : Mr Giorgio MALINVERNI, Professor of Constitutional Law, University of Geneva, Switzerland, Member of the Venice Commission.

15h30-16h00 *Constitutional Supremacy of Human Rights Treaties*  
Report by Mr José CARDOSO DA COSTA, Professor of Constitutional Law, University of Coimbra, Portugal, Former President of the Constitutional Court, Member of the Venice Commission

16h00-16h30 *Implementation of judgments of the European Court of Human Rights: legal nature of the relevant obligations of the States and European control of the national legislative choices*  
Report by Mr Michele de SALVIA, former Jurisconsult at the European Court of Human Rights, Professor of Human Rights, Università Cattolica, Milan, Italy

16h30-16h45 *Coffee Break*

16h45-17h15 *Incorporation of human rights treaties into domestic law prior to their ratification*  
Report by Ms Gret HALLER, Former Human Rights Ombudsperson for Bosnia and Herzegovina, Switzerland

17h15-17h45 *The direct applicability of human rights treaties*  
Report by Ms Eliska WAGNEROVA, Vice-President of the Constitutional Court, Czech Republic, Substitute Member of the Venice Commission

17h45-18h45 Discussion

18h45-19h00 Conclusions:  
*Are or should treaties on human rights be given a special status in national constitutions and national law?*

20h00 *Official Diner*

*Third session*

**Saturday 8 October 2005**

9h30-13h30

**Are there core human rights ?**

- Moderator: Mr Pieter VAN DIJK, Member of the Council of State of the Netherlands, Member of the Venice Commission
- 09h30-10h00 *International treaties and agreements conditioning trade and foreign aids on respect for human rights and democracy*  
Report by Mr Cesare PINELLI, Professor of Constitutional Law, University of Macerata, Italy, Member of IACL
- 10h00-10h30 *Are there differentiation among Human Rights?*  
*Jus cogens, core human rights, obligations erga omnes, non-derogability*  
Report by Ms Dinah SHELTON, Patricia Roberts Harris Professor of Law, The George Washington University Law School, USA
- 10h30-11h00 *Taking Interdependence and Indivisibility Seriously – Social Rights as Core Human Rights in Europe*  
Report by Mr Gerard QUINN, Professor of Law, National University of Ireland, Galway, Ireland, Vice-President of the European Committee of Social Rights, Council of Europe, France.
- 11h00-11h15 *Coffee Break*
- 11h15-11h45 *Human Rights provisions in conventional sources of international criminal law and their effects on international criminal justice*  
Report by Mr Vojin DIMITRIJEVIC, Director of the Human Rights Center of Belgrade, Member of the Venice Commission, Serbia and Montenegro
- 11h45-12h45 Discussions
- 12h45-13h00 Conclusions:  
*Are there core human rights ?*
- 13h30 Lunch