



2019

ANNUAL REPORT

**The Permanent Secretariat of
Association of Asian Constitutional Courts
and Equivalent Institutions
for Planning and Coordination**



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I. Introduction

1.1. Association of Asian Constitutional Courts and Equivalent Institutions (AACC)

A dynamic global situation leads some countries to protect their values and interests by establishing a regional organization. With the same spirit, some constitutional courts and equivalent institutions in Asia gathered to build the AACC (Association of Asian Constitutional Courts and Equivalent Institutions) that allow them to exchange information and values on promoting the democracy and the rule of law in Asia. The AACC operates as an autonomous, independent, and non-political body in accordance with the statute. Many activities had been conducted to support these ideas, such as meeting for Liaison officer from each member country, meeting of the Secretaries General, international symposiums, legal officers training, secondment programs, short courses and workshops, and many others.

As of 2019, the member states of AACC has increased to eighteen members, such as Afghanistan, Azerbaijan, Indonesia, Kazakhstan, Korea, Kyrgyzstan, Malaysia, Mongolia, Myanmar, Pakistan, Russia, Tajikistan, Thailand, Filipina, Turkey, Uzbekistan, India, and Maldives. Despite the challenges and opportunities, the AACC is well-operated by three secretariats in Indonesia, South Korea, and Turkey. As set forth in the Statute, the AACC is to ensure the protection of human rights, to guarantee of democracy, to implement the rule of law, to protect the independence of constitutional courts and equivalent institutions, and to cooperate nor exchange experiences and information among members.

Referring to the Amendment of Article 22 on the statute of AACC that had been signed and adopted on August 12th, 2016, the function of the AACC are supported by three secretariats as below.

1. Secretariat for Research and Development (SRD) is located in Seoul, South Korea and managed by the Constitutional Court of the Republic of Korea. The AACC SRD works mainly in the field of comparative constitutional law. Especially on focusing the role of constitutional adjudicatory bodies. Its function as stated by Statute are:



- Planning, conducting, and coordinating joint research activities in the sphere of constitutional justice.
- Publishing an international journal on the outcome of the research activities conducted.
- Constructing and managing a database of profiles and key decisions of members.
- Conducting research and development activities for the promotion of constitutionalism.
- Organizing international conferences, seminars and forums at justice/judge level and researcher level on research themes chosen.

2. Centre for Training and Human Resource Development (CTHRD) is located in Ankara, Turkey and managed by the Constitutional Court of the Republic of Turkey. Its functions as stated by the statute are:

- Conducting training programs, including summer school, workshop and similar programs within the framework of the AACC.
- Providing educational materials to the staff of the members.
- Coordinating the participation of expert staff of the members in training and human resource development.

3. Secretariat for Planning and Coordination (SPC) located in Jakarta, Indonesia and managed by the Constitutional Court of the Republic of Indonesia. Its functions as stated by the statute are:

- Rendering protocol and administrative support to the AACC and its members.
- Encouraging and giving support to the AACC in the conduct of relations with international organizations and forums, and other external parties.
- Coordinating activities for the development of human resources, the exchange of human resources, scholarships and internships, excluding activities of the Center of Training and Human Resource Development.
- Planning and coordinating financial matters concerning the activities of the AACC.



In running its duty to advancing the AACC, the Secretariat of ACCC for Planning and Coordination (SPC) has carried out its tasks during 2019. There were five major tasks that has been completed by the SPC, which are:

- a. 2019 Meeting of the Secretaries General, Board of Members Meeting, Short Course, and Liaison Officer Meeting.
- b. Planning, Evaluation, Coordination, and the Development of Cooperation among AACC Members.
- c. Planning and Coordination for Candidates of AACC Members.
- d. The Dissemination of the Court Decisions and News Report from Every Member of the AACC for AACC Website.
- e. Updating and Developing the AACC Website.

II. Tasks Implementation

- 2.1. 2019 Meeting of the Secretaries General, Board of Members Meeting, Short Course, and Liaison Officer Meeting.

- 2.1.1 Meeting of the Secretaries General & the Board of Members Meeting.

The 2019 Meeting of the Secretaries General and the Board of Members Meeting has been done as one of the implementations of SPC tasks. As one of the tasks that has been carried out by the SPC is to coordinate with all of AACC members regarding to any progress related with the AACC. Despite of the unfortunate situation happened in 2019 with Malaysia as the President of AACC, the Federal Court of Malaysia would not be able to initiate the 4th Congress of AACC, the Board of Members Meeting, along with the Secretaries General Meeting in order to handover the AACC presidency.

Due to that issue, the SPC has been coordinating with the Federal Court of Malaysia as the term president of AACC at that time to seek any alternatives to initiate the events. As the result, The Constitutional Court of the Republic of Indonesia was willing to hold the events coincide with the Indonesian Constitutional Court International Symposium (ICCIS 2019) in Nusa Dua, Bali, on November 2019.



The events itself started with the Meeting of the Secretaries General on November 2nd, 2009, continued with the Board of Members Meeting on 3rd of November 2019 At Hilton Hotel and Resort, Nusa Dua, Bali. In that occasions obtained the following results.

- a. The handover of the AACC presidency from the Federal Court of Malaysia to the Constitutional Council of the Republic of Kazakhstan as the term president of AACC for 2019—2021.
- b. the Federal Court of Malaysia did not have to initiate the 4th Congress of AACC.
- c. The inauguration of the Supreme Court of India and the Supreme Court of Maldives as the new member of AACC.
- d. Report from the three secretariats of the AACC (SRD in South Korea, CTHRD in Turkey, and SPC in Indonesia).
- e. The Meeting of the Secretaries General, the Board of Members Meeting had been gone well and smooth.



Board of Members Meeting 2019



The handover of the AACC presidency from the Federal Court of Malaysia to the Constitutional Council of the Republic of Kazakhstan



Meeting of the Secretaries General

2.1.2 The International Short Course

This activity offers a short course or training for working level of AACC members. This program was intended to enhance the skills and knowledge of each AACC members staff in order to develop a better management of the constitutional justice in each AACC members countries. The event was initiated at Hilton Hotel and resort in Nusa Dua, Bali on 6th—7th of November 2019. In this 2019 short course, obtained the following results.



- a. Fifteen AACC members countries had joined the program and sending 1—2 of their working level staff.
- b. “The Constitutional court and the protection of Social and Economic Rights” was the theme of the 2019 short course.
- c. The International Short Course had been run well and smooth.



The 2019 International Short Course

2.1.3 The Liaison officer Meeting

This event initiated for all of AACC Liaison Officer to discuss further issues related with the AACC. In this 2019 AACC Liaison Officer, discussed the following issues.

- a. Introducing the LO from the Supreme Court of Maldives to other AACC LO.
- b. To activate and enhancing the social media (WhatsApp) group to communicate and coordinate among AACC liaison officer members.
- c. Enhancing and developing the AACC website (www.aacc-asia.org) by adding the *Registration* menu in AACC website to enhance and to facilitate any other Asian country that are willing join the AACC.
- d. An annual meeting between three secretariats (SPC, SRD, and CTHRD) to coordinate between secretariats is needed.

2.2. Planning, Evaluation, Coordination, and the Development of Cooperation Among AACC Members

During 2019, the implementation of planning, evaluation, and the development of cooperation between AACC members, the SPC has done several actions which are:



1. Collecting the liaison officer data of all AACC members.
2. Creating a WhatsApp group consist of all AACC liaison officer member countries to enhance the communication and information between AACC members.
3. Visiting and communicate intensively with the Federal Court of Malaysia regarding the preparation of the 4th Congress of AACC.
4. communicate intensively via email and WhatsApp with the Federal Court of Malaysia regarding the postponement of the 4th Congress of AACC.
5. Receiving the Mandate letter from The Federal Court of Malaysia as the President of AACC to initiate the 2019 Board of Members Meeting and the Secretaries General Meeting in ICCIS 2019 event.
6. Planning and creating the 2019 Board of Members Meeting, the Secretaries General Meeting in Nusa Dua, Bali, Indonesia on 2nd—3rd of November 2019.
7. Sending and making the approval letter to the president of AACC and to all the AACC member countries pertaining the proposal from the Supreme Court of Maldives and the Supreme Court of India for joining the AACC.

The follow-up actions in the matter of planning, evaluation, and the development of cooperation between AACC members that need to be done in 2020 are as below.

1. Visiting and communicate intensively with the Constitutional Council of the Republic of Kazakhstan as the President of AACC for the preparation of the 4th Congress of AACC.
2. Communicate intensively with The SRD in South Korea, CTHRD in Tukey to coordinate and realizing the agenda of an annual meeting between three secretariats.
3. Sending and making the approval letter to the president of AACC and to all the AACC member countries pertaining the proposal from the Supreme Court of Bangladesh for joining the AACC.

2.3. Planning and Coordination for Candidates of AACC Member.

As of 2019, the member states of AACC has increased to eighteen countries, which are Afghanistan, Azerbaijan, Indonesia, Kazakhstan, Korea, Kyrgyzstan, Malaysia, Mongolia, Myanmar, Pakistan, Russia, Tajikistan, Thailand, Filipina,



Turkey, Uzbekistan, India, and Maldives. Despite the challenges and opportunities and as set forth in the Statute, the AACC is to ensure the protection of human rights, to guarantee of democracy, to implement the rule of law, to protect the independence of constitutional courts and equivalent institutions, and to cooperate nor exchange experiences and information among members.

To achieve such goals and objectives, moreover to bring positive yet mutual implication to its members and to the society worldwide, it is necessary to expand the membership and bring the mutual cooperation to the whole Asia continent. It is now the time to Asia taking the key role and contribution to the law and jurisdiction area. On welcoming a decade of the establishment of the AACC on 2020, we hope the memorable event will be witnessed by most countries in Asia as a symbol of our unity. Those number of AACC members are expected to increased.

In the year of 2019, in the matter of the implementation of planning and coordination for AACC Members candidates, the SPC has done several actions which are:

1. Listing the target of the potential countries in Asia to be the candidate of AACC member. Ten Asian countries had been chosen as the candidates of AACC member with some deliberation such as, those countries have been actively as an observer in the AACC for the past several years, they have expressed their interest to join our AACC, and they are also role actively in any other international organizations. The ten countries that have been considered fit to join our AACC are:

No.	Country	No.	Country
1.	Laos	6.	Sri Lanka
2.	Cambodia	7.	Brunei Darussalam
3.	Vietnam	8.	Maldives
4.	East Timor	9.	Qatar
5.	India	10.	United Arab Emirates

2. Doing some research towards the 10 countries and creating the Open Membership Proposal of the AACC.



3. Sending email and official letter from the Constitutional Court of the Republic of Indonesia as the Permanent Secretariat of AACC for Planning and Coordination to the ten candidate members of AACC.
4. Create an intensive communication via email and social media towards the ten candidate countries regarding the feedback and the follow-up of the proposal.
5. The outcome of the intensive communication and follow-up resulting the Supreme Court of Maldives and the Supreme court of India are willing to join the AACC.
6. Receiving all the data needed from Supreme Court of Maldives and the Supreme court of India to be the member of AACC.
7. Sending email and official letter of approval along with all the data needed to the President of AACC and to all AACC members pertaining the willingness of the Supreme Court of Maldives and the Supreme Court of India to join AACC.
8. Receiving approval letter from the president of AACC and all the members of AACC for the Supreme Court of Maldives and the Supreme Court of India to join the AACC.
9. Completing the inauguration of the Supreme Court of Maldives and the Supreme Court of India at the 2019 Board of Members Meeting in Nusa Dua, Bali.
10. During the Indonesian Constitutional Court International Symposium event (ICCIS 2019) on November 2019 in Nusa Dua, Bali, the Supreme Court of Bangladesh has expressed their interest to join the AACC.
11. Initiate a courtesy visit to follow-up the interest of Supreme Court of Bangladesh on November 2019 to join the AACC.
12. Communicating intensively with the Supreme Court of Bangladesh concerning all the data needed to join the AACC.

The follow-up actions in the matter of planning and coordination to candidates of AACC Members that need to be done in 2020 are as below.

1. Creating a new list as the target of the potential countries in Asia for the candidate of AACC member.
2. Continuously to follow-up towards the countries that has not responded the AACC open membership proposal.

3. Continuously Initiate a courtesy visit to the target countries to follow-up the AACC open membership proposal.



Meeting with the General Registrar of the Supreme Court of Bangladesh

- 2.4. The Dissemination of the Court Decisions and News Report from Every Member of the AACC for AACC Website.

In term of the implementation of the dissemination of the court decisions and news report from every member of the AACC and translate it to two official working languages of AACC (Russian and English) for AACC website, the SPC has done several actions which are:

1. Encouraging and prompting continuously to all AACC members by sending an email to upload the landmark decisions from all AACC member countries in AACC website in order to achieve the exchange of information and values on promoting the democracy and the rule of law between AACC members.
2. Sharing the password and login account of AACC website via social media (WhatsApp) of AACC liaison officer group in order to make every member of AACC able to upload their court decisions and news from their court and country in AACC website.
3. During 2019, there are six landmark decisions from Indonesian Constitutional Court that has succeeded to be translated to Russian and managed to be up-loaded in AACC website (www.aacc-asia.org).



4. As for English translation, there are 12 landmark decisions from Indonesian Constitutional Court that has succeeded to be translated and managed to be up-loaded in AACC website (www.aacc-asia.org).
5. Moreover, in 2019, the constitutional Court of the Republic of Indonesia has uploaded 40 non-trial news and three trial news to the AACC website.

The follow-up actions in the matter of the dissemination of the court decisions and news report from every member of the AACC for AACC website that need to be done in 2020 are as below.

1. Continuously encouraging and prompting to all AACC members by sending an email and through social media (WhatsApp) of AACC liaison officer group to upload the landmark decisions from their countries in AACC website in order to achieve the exchange of information and values on promoting the democracy and the rule of law between AACC members.

2.5. Updating and Developing the AACC Website.

In term of the implementation of updating and developing the AACC website (www.aacc-asia.org), the SPC has done several actions, which are:

1. Managing and inventory all the problems and deficiencies in AACC website and conduct an evaluation meeting with the IT support team to find a solution for each deficiency.
2. Communicating and coordinating to all AACC members regarding the development of the AACC website.
3. Holding a discussion regarding enhancing and developing the AACC website at the Liaison Officer Meeting on November 2019, in Nusa Dua, Bali.

III. Closing

3.2. Summary

Generally, the tasks implementation of the AACC Secretariat for Planning and Coordination has done well. In 2019, The SPC has done five tasks according its functions as stated by the statute with the completions as below.



- Rendering protocol and administrative support to the AACC and its members by coordinating with the Constitutional Court of the Republic of Indonesia to initiate the 2019 Board of Members Meeting and the Secretaries General Meeting.
- The handover of the AACC presidency from the Federal Court of Malaysia to the Constitutional Council of the Republic of Kazakhstan has done well.
- As of 2019, the member states of AACC has increased to eighteen members with the join of the Supreme Court of Maldives and the Supreme Court of India.
- The inauguration of 2 new members of AACC (the Supreme Court of Maldives and the Supreme Court of India) was done perfectly.
- Coordinating activities for the development of human resources, the exchange of human resources, scholarships and internships, excluding activities of the Center of Training and Human Resource Development by initiating the International Short Course for the liaison officer of every member of AACC in Nusa Dua, Bali on November 2019.
- The forming of *Registration* menu in AACC website to enhance and to facilitate any other Asian country to join the AACC.