



NUR-SULTAN DECLARATION OF THE FOURTH CONGRESS OF THE ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS AND EQUIVALENT INSTITUTIONS

We, the Members of the Association of Asian Constitutional Courts and Equivalent Institutions (hereinafter - AACC), held the Fourth Congress on 27 August, 2020 in Nur-Sultan, Republic of Kazakhstan, under the general theme "The XXI Century Constitution – the Rule of Law, the Value of Person and the Effectiveness of the State".

Eventhough for the first time, the AACC Congress was held via video conference, it was still met with great enthusiasm and it was attended by delegates of the constitutional courts and equivalent institutions of the AACC members-states, as well as representatives of international organizations and other groups of constitutional courts / institutions based on a regional or linguistic principle as observers and guests. The Congress provided everyone a wonderful opportunity to exchange experience and fruitful discussions on topical issues related to the establishment of the rule of law, mechanisms for the promotion and protection of constitutional rights of citizens, the role of constitutional courts and equivalent institutions in this process, as well as modernization of the state in response to modern challenges, in particular connected to the COVID-19 pandemic.

Considering the achievements of the past years and following the conclusions of this Congress, we declare the following:

1. We reaffirm that the Constitution is the Basic Law of the State. In an era of global changes and digital transformation ensuring the supremacy of the Constitution and the principle of the rule of law, strict adherence to its provisions, raising the level of the constitutional culture of society are indispensable conditions for the civilized and progressive development of any state that has embarked on the path of democratic modernization.

2. We believe that bodies of constitutional review play an important role in the implementation, development and protection of constitutional values.

Our common goal is to ensure the rule of law, protect human rights and the democratic foundations of society.

3. We recognize that modern challenges associated with the outbreak COVID-19 virus, as declared a pandemic by the World Health Organization, have raised the need for a deep understanding of the international and national legal framework in terms of increasing their effectiveness in preventing and eliminating this threat.

We are confident that the improvement of legal mechanisms for ensuring the rights and implementation of the duties of citizens in such situations and the formation of safe conditions for the life of society including the intensification of digital technologies usage in the administration of justice are of importance.

In addition, we express our common solidarity and readiness to support each other in this temporary difficult period and make every effort to preserve the inviolability of the most important legal values through the instruments of constitutional justice.

4. We support the need to further develop cooperation at the international and regional levels with a view to joining efforts in finding answers to global challenges, in particular, climate changes, that have a serious impact on democratic principles, the protection of human rights and the rule of law. For that purpose we express our interest in considering enhancing cooperation with European Commission for Democracy through Law of the Council of Europe (Venice Commission), the World Conference on Constitutional Justice (WCCJ), other regional and linguistic groups of constitutional courts and equivalent institutions. This interest includes a full support for AACC members who are willing to be the host of upcoming WCCJ Congress or other global forum. We also express our support to such fundamental principles of international law as inadmissibility of violation of territorial integrity, inviolability of borders and peaceful resolution of conflicts.

5. The AACC unanimously supports the Constitutional Court of the Republic of Indonesia's offer to host the 5th Congress of WCCJ in 2022.

6. The AACC is open for accession to the constitutional control bodies of Asian countries that share the goals of the Association. We call on other constitutional courts and equivalent institutions in Asia to join us and jointly address the challenges of upholding the principles of constitutionalism in the region. In this connection, we welcome the accession to AACC of the Supreme Court of Bangladesh.

7. Expressing our sincere appreciation to the Constitutional Council of the Republic of Kazakhstan for the successful holding of the Fourth Congress of the AACC, the Board of Members welcomes the continuation of Kazakhstan's presidency over the coming year.

