



NEWSLETTER

VOL. 6/1.8/2025

CONSTITUTIONAL COURT

PREPARED BY

PERMANENT SECRETARIAT
FOR PLANNING AND COORDINATION

The Constitutional Court of the Republic of Indonesia
JAKARTA

 aacc-asia.org

CONSTITUTIONAL
LAW



GREETINGS FROM JAKARTA TO ALL FELLOW AACC MEMBERS!

Warm regards from the Permanent Secretariat for Planning and Coordination (Permanent Secretariat) of the AACC in Jakarta, Indonesia. We are delighted to share with you the release of AACC Newsletter Volume 6/1.8/2025, which captures the recent significant developments within our Association.

This edition offers an in-depth overview of the 2025 AACC Board of Members Meeting (BoMM), highlighting the key deliberations and outcomes that have further solidified our shared vision. It also features reports from the three Permanent Secretariats, emphasizing their continued efforts in promoting the goals of the AACC. Additionally, readers will find updates on landmark rulings and activities from member institutions, along with perspectives on comparable events organized by fellow associations.

We sincerely thank all member institutions and contributors whose dedication and feedback have made this publication possible. Your continued support plays a vital role in sustaining the impact and relevance of our joint initiatives. We hope the AACC Newsletter serves as an insightful reference and a source of inspiration and collaboration. We welcome your ideas and input for our upcoming editions.

With sincere appreciation,

**THE PERMANENT SECRETARIAT FOR PLANNING AND COORDINATION
CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA**

OUR TEAM



Heru Setiawan

Head of Permanent Secretariat for Planning and Coordination

"With this edition, we aim to promote stronger synergy, inspire innovation in constitutional justice, and provide meaningful insights to support our shared vision"



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AACC BOARD OF MEMBERS MEETING AND PUBLIC LECTURE

On Tuesday, 24 June 2025, the Constitutional Court of the Kingdom of Thailand, in its capacity as President of the Association of Asian Constitutional Courts and Equivalent Institutions (AACC), hosted the AACC Board of Members Meeting (BoMM) at the Siam Kempinski Hotel in Bangkok. The meeting was attended in person by member countries including the Republic of Korea, the Republic of Türkiye, and the Republic of Uzbekistan, while other AACC member countries participated virtually. In conjunction with the BoMM, a Public Lecture was held under the theme "The Courts and the Protection of Human Rights."

The meeting began with a presentation from the Constitutional Court of the Kingdom of Thailand, outlining key activities and major initiatives undertaken during its tenure as President of the AACC for the 2023–2025 term. This was followed by progress reports from the AACC Secretariats, namely: the Secretariat for Planning and Coordination (SPC), the Secretariat for Research and Development (SRD), and the Center for Training and Human Resources Development (CTHRD). Each Secretariat presented its performance report to the AACC President and all attending members, highlighting key achievements and providing updates on the main programs currently being implemented in support of the AACC's shared objectives.

Board of Members Meeting

During this meeting, members officially approved the Federal Supreme Court of Iraq as a new member of the AACC and extended an invitation for it to participate in the 7th AACC Congress, which will be hosted by Uzbekistan between 2025 and 2027. Earlier, the Permanent Secretariat had reported that the membership proposal had been officially submitted by the Chief Justice of Iraq's Federal Supreme Court, Hon. Jassim Mohammed Abboud, on December 4, 2024. In the lead-up to the BoMM, the Permanent Secretariat had received official responses from 17 AACC member countries regarding Iraq's application.





The Constitutional Court of Thailand expressed its strong support for Iraq's inclusion, noting that the decision would enhance AACC's global visibility and institutional development, as well as strengthen bilateral relations between Thailand and Iraq. According to Thailand's Ministry of Foreign Affairs, the Republic of Iraq is currently considering reopening its embassy in Thailand—a move that could also contribute to Thailand's energy diversification strategies in response to current global challenges.



Uzbekistan Leads AACC

In addition to the expansion of membership, the BoMM also marked the transfer of AACC leadership from the Constitutional Court of the Kingdom of Thailand to the Constitutional Court of the Republic of Uzbekistan. The meeting further discussed AACC's preparations for participating in the 6th Congress of the World Conference on Constitutional Justice (WCCJ), which will take place from 28 to 30 October 2025 in Madrid, Spain.

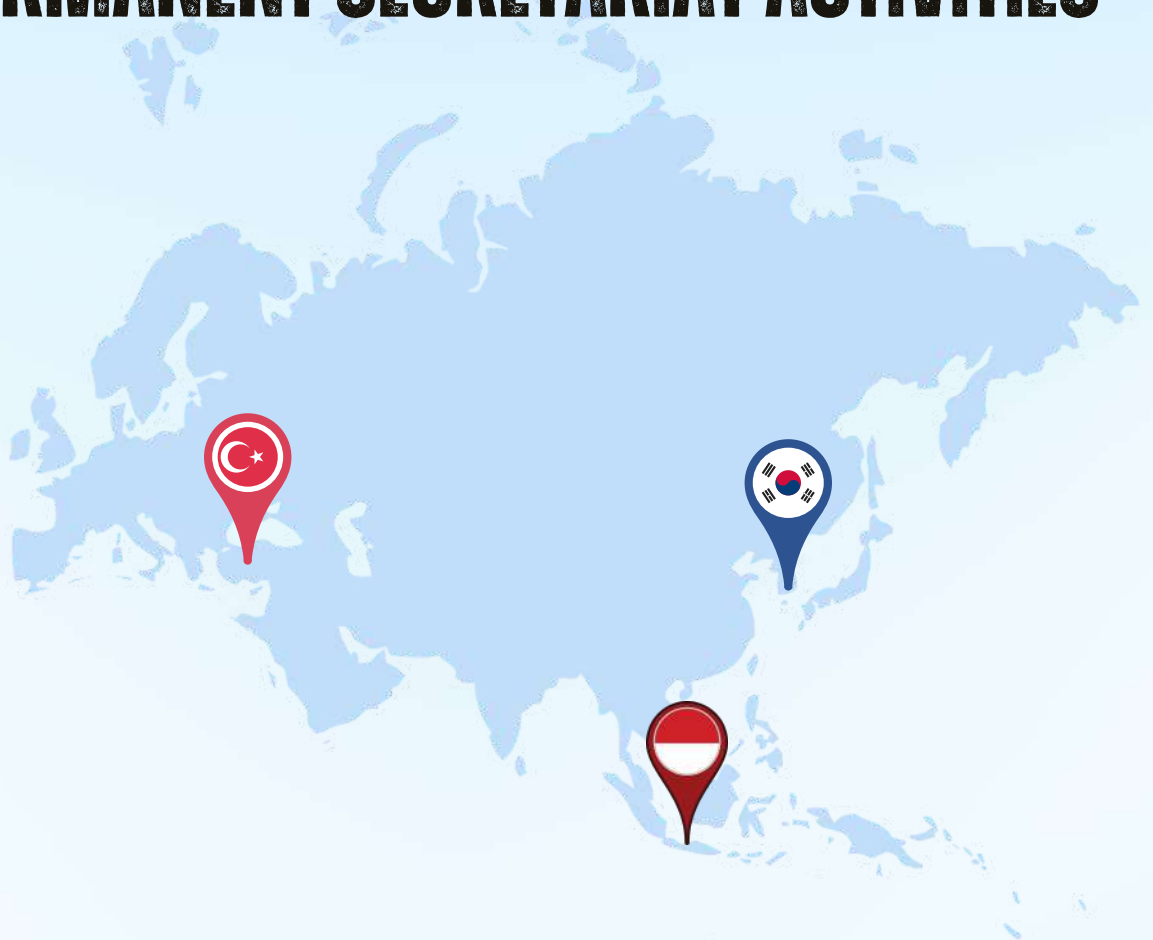
Source : www.aacc6-thailand.com

AACC





AACC PERMANENT SECRETARIAT ACTIVITIES



Secretariat for Planning and Coordination
(SPC) in Jakarta, Indonesia



Secretariat for Research and Development
(SRD) in Seoul, South Korea



Center for Training and Human Resources Development
(CTHRD) in Ankara, Türkiye

AACC FINANCIAL CONTRIBUTION

In an effort to strengthen the foundation of sustainable, transparent, and accountable organizational governance, the Permanent Secretariat of the Association of Asian Constitutional Courts and Equivalent Institutions (AACC) has initiated an internal study on the potential implementation of a financial contribution system among member countries. This initiative is a follow-up to the mandate given during the 2024 AACC Board of Members Meeting (BoMM) held in Bangkok, Thailand.



In this regard, the BoMM tasked the Permanent Secretariat with preparing a comprehensive study on possible financial contribution schemes as a key institutional development priority. As part of the implementation of this mandate, the Permanent Secretariat has sent official letters to three regional constitutional organizations with similar institutional structures and objectives, namely:

- Conference of Constitutional Jurisdictions of Africa (CCJA),
- Conference of European Constitutional Courts (CECC), and
- Ibero-American Conference on Constitutional Justice (CIJC).

Through these letters, the Secretariat requested information regarding the financial contribution schemes applied among their respective member states, as well as their financial governance systems, accountability mechanisms, and transparency practices. This step aims to gather comparative insights from well-established regional models, which will serve as valuable references for the development of the AACC's own internal policy framework.

Moving forward, the outcomes of this study will be presented to the members for feedback and further discussion. It will also become one of the key agenda items in upcoming official AACC meetings, including future Board of Members Meetings (BoMM) and Secretaries-General Meetings. The Permanent Secretariat hopes that, by involving all stakeholders inclusively, the jointly agreed contribution system will serve as a milestone toward stronger and more responsive organizational governance in the face of future challenges.

FOLLOW-UP ON THE MEMBERSHIP STATUS OF AFGHANISTAN

As a follow-up to previous communications regarding the membership status of Afghanistan, the Permanent Secretariat held a diplomatic meeting with the Embassy of Afghanistan in Jakarta on 26 June 2025. The meeting was attended by Mr. Qaiz Barakzai, Deputy Head of Mission of the Embassy of Afghanistan.

During the discussion, the Afghan representative explained that the previously active institution, the Islamic Constitutional Oversight Independent Commission (ICOIC), has ceased to function following the change in government. As of now, no successor institution has been established to serve as the country's constitutional court or equivalent body.

Despite this situation, which currently prevents Afghanistan from actively participating as a member, the Embassy expressed its commitment to maintaining communication and conveyed the hope that institutional relations could be resumed in the future. The meeting also provided an opportunity for the Permanent Secretariat to demonstrate its commitment to fostering constructive dialogue and offering its good offices in response to the internal dynamics experienced by member countries.

Upcoming 5th International Symposium of the AACC SRD

The 5th International Symposium of the AACC SRD will be a Justice-level conference. It will be held in Seoul at the Westin Josun from 25 to 28 August 2025. The event's theme matches the AACC SRD's 2025 book project: Right to Privacy. As in previous years, the AACC SRD's annual conference functions as a stepping stone on the way to completing the AACC SRD's annual book project. The conference serves as an ideal forum to discuss the research topic that has been chosen for the year by the AACC SRD. The main part of the 2025 conference will consist of three main sessions. Each focuses on particular aspects in constitutional adjudication on the right to privacy.

- Session 1 (“Defining the right to privacy”) aims to delineate the right to privacy’s scope of protection. This includes the material content of the right to privacy as well as the right’s personal scope. Since the right to privacy can have multiple dimensions and can rapidly evolve in response to technological change, it is especially important to define its coverage and boundaries.
- Session 2 (“Legitimate restrictions”) invites AACC members to specifically share their respective experiences in reviewing the constitutionality of restrictions on the right to privacy. Which specific standards of review have been deployed? How have AACC members struck a balance between the right to privacy and public interest considerations or in relation to other constitutional rights?
- Session 3 (“Current issues and major adjudication”) offers the opportunity to consider new developments that may require novel interpretations of the right to privacy, especially due to the impact of digitalization and artificial intelligence. This session also provides space to discuss in depth one or more major landmark judgments on this matter or on the right to privacy in general.

Even though these main sessions provide independent platforms for exchange and discussion, they are interlinked and reflect the envisaged structure of the individual chapters of the AACC SRD’s 2025 book publication. The main sessions will be followed by a concluding General Session. At this concluding session, the chairs of the above main sessions will sum up the respective previous discussions and provide additional perspectives. The AACC SRD looks forward to the sharing of information, experience and ideas with all AACC members at the upcoming 5th International Symposium!



Book project of 2025: The “Right to Privacy”

Towards the end of 2025, the AACC SRD will publish the eighth volume in its annual book series. Each book consists of chapter contributions by AACC members. Invitation materials for this project were distributed to AACC members in February 2025. The suggested structure for the chapter submissions by AACC members is the same as the session structure for the 2025 International Symposium (see above). Previous publications in this series can be found as PDF files under the publications section of the AACC SRD’s homepage (<http://www.aaccsrd.org/en/pubsLst.do>).

The annual book projects since 2018 are as follows:

- 2018: Jurisdictions and Organization of AACC Members
- 2019: Constitutional Review at AACC Members
- 2020: Freedom of Expression: Experience of AACC Members
- 2021: Constitutional Rights and AACC Members
- 2022: Right to Life
- 2023: Access to Justice: Constitutional Perspectives
- 2024: Constitutional Rights and the Environment
- 2025: Right to Privacy (forthcoming)

Secondment Program

Starting on 1 August, the AACC SRD is pleased to welcome two seconded officers from the Constitutional Court of Thailand!

Any member of the AACC can assign their staff for secondment to the AACC SRD for a duration of up to a year, with the possibility of extension. The AACC SRD warmly invites applications for the secondment program from interested staff of AACC members. For further information about the AACC SRD’s secondment program, please visit the AACC SRD’s website (<http://www.aaccsrd.org/en/secondment.do>) or contact the AACC SRD’s liaison officer, Ms. Hari Im (hari924@ccourt.go.kr).



CTHRD Türkiye Prepares 13th AACC Summer School

The Center for Training and Human Resources Development (CTHRD), operated by the Constitutional Court of the Republic of Türkiye, and serving as one of the three Permanent Secretariats of the Association of Asian Constitutional Courts and Equivalent Institutions (AACC). The 13th Summer School Programme is scheduled to be held in person from 5 October 2025 to 9 October 2025 in Ankara and Cappadocia, Türkiye, under the theme **“Family Life in the Constitutional Perspective and Right to Respect for Family Life”**

Last year, CTHRD successfully organized the 12th Summer School from 30 September to 3 October 2024 in Ankara. The event was held under the theme “The Use of Information Technologies and Artificial Intelligence in the Higher Judiciary,” highlighting the transformative role of digital innovation in enhancing judicial processes while also addressing the inherent challenges and risks associated with such technological advancements.

The AACC Summer School has long stood as a flagship initiative that offers a valuable forum for the exchange of best practices and the rich diversity of legal traditions from various countries. As a dynamic platform for collaboration and interactive learning, the programme enables participants to reflect on challenges faced by constitutional courts, exchange knowledge and expertise, and foster a spirit of solidarity among peer institutions in the judiciary.

Source: aacc.anayasa.gov.tr



MEMBERS ACTIVITIES

CHAIRMAN OF AZERBAIJAN'S CONSTITUTIONAL COURT PARTICIPATES IN INTERNATIONAL CONFERENCE IN TIRANA

On February 28 of this year, a delegation headed by the Chairman of the Constitutional Court of the Republic of Azerbaijan Farhad Abdullayev visited Tirana at the invitation of the President of the Constitutional Court of the Republic of Albania Holta Zaçaj to participate in a meeting of the chairmen of constitutional justice bodies that are members of the Conference of European Constitutional Courts. The event discussed the date and theme of the XX Congress of the Conference of European Constitutional Courts, the presentation of national reports, the invitation of observers to the Congress and other practical issues.

During the visit, discussions on judicial and legal issues took place with the chairmen and judges of constitutional courts of a number of European countries.



H.E. Farhad Abdullayev

Chairman of the Constitutional Court of the Republic of Azerbaijan

Source : www.constcourt.gov.az

APPOINTMENT OF JUDGES TO AZERBAIJAN'S CONSTITUTIONAL COURT

On 4 July 2025, the Milli Majlis of Azerbaijan, upon the President's submission, appointed Mr. Rauf Guliyev, Mr. Rashid Rzayev, Mr. Otari Gvaladze, and Mr. Farhad Tutayuk as Judges of the Constitutional Court.

In this regard, please find below the composition of the Judges of the Constitutional Court of the Republic of Azerbaijan:

1. Farhad Abdullayev – Chairman;
2. Humay Afandiyeva – Judge;
3. Fikrat Mammadov – Judge;
4. Isa Najafov – Judge;
5. Khanlar Valiyev- Judge;
6. Rashid Rzayev – Judge;
7. Otari Gvaladze – Judge;
8. Farhad Tutayuk – Judge;
9. Rauf Guliyev – Judge.



On 21 July 2025, Mr. Anar Babayev, Deputy Secretary General was appointed as Acting Secretary General of the Constitutional Court of the Republic of Azerbaijan.



UNDP AND BANGLADESH COLLABORATE ON JUSTICE REFORM INITIATIVES



Almost a year has passed since Bangladesh's youth took to the streets in unprecedented numbers in the historic July Uprising 2024. Driven by disappointment, hope, and an unshakable demand for justice, this student-led movement demanded not just political change, but effective legal remedies for all and the right to seek justice before impartial judges. The Judicial Reform Roadmap, introduced by the Chief Justice Dr. Justice Syed Refaat Ahmed on 21 September 2024, seeks to respond to this quest, access to justice, placing justice delivery, independence, integrity and accountability at the heart of institutional transformation.

Guided by the legacies of those young men and women who paid the ultimate price in the protests, the Chief Justice has set out on a mission to restore equity and justice through a transformative agenda for judicial reform. This vision echoes a promise first made by the martyrs of 1971 that Bangladesh would be a state where justice, liberty, and equality are not empty ideals, but lived realities.

The National Seminar on Judicial Independence and Efficiency, convened on 22nd June 2025 by the Supreme Court with support from UNDP, marked a critical step in translating those aspirations/ goals into institutional reforms. Judges from across the country participated, committing to reform and improved justice delivery. Professor Dr. Muhammad Yunus, Honorable Chief Adviser and Nobel Laureate lauded the reform efforts and reminded participants of the urgency at hand. "This opportunity will never come again," he cautioned. "We must keep striving until we achieve judicial independence and efficiency."

Source : www.undp.org

SUPREME COURTS OF INDIA AND NEPAL SIGN MOU ON JUDICIAL COOPERATION



The Supreme Court of India has signed a Memorandum of Understanding (MoU) with the Supreme Court of Nepal to develop, promote and strengthen the judicial cooperation between the two countries today. The MoU was signed in the presence of Hon'ble Mr Justice Prakash Man Singh Raut, Chief Justice of Nepal and Hon'ble Mr Justice Sanjiv Khanna, Chief Justice of India. Inspired by the cordial and friendly relations existing between the two countries and their people, the MoU aims at developing, promoting and strengthening cooperation between the judiciaries of the two countries.

The MoU shall not only encourage mutual exchange of information on latest developments in the field of law and justice but also promote interaction among judges and officials at various levels of judiciaries through programmes such as exchange of visits, short- and long-term trainings and academic programmes. Recognising the importance of use of technology in clearing backlogs, expediting court procedures and providing better services to stakeholders, the MoU provides for sharing information pertaining to technology employed in their respective Courts and other institutions. As per the MoU a Joint Working group consisting of the officials of the two judiciaries shall be formed to work out plans and modalities for promoting and further strengthening judicial cooperation.

Source : www.sci.gov.in

Constitutional Court Concludes Regional Election Dispute Cases

The 2024 Simultaneous Regional Head Elections covering the election of governors, regents, and mayors in 545 regions, serve as a reflection of the progress of democracy in Indonesia. Although regional in nature, the implementation of Regional Head Elections can be said to more strongly represent the relationship between power and the sovereignty of the people. This is because the contestants in Regional Head Elections are local figures who naturally possess track records, experience, and organic support from a constituency with whom they are closely connected. As a result, the flavor of local democracy is often more pronounced and tends to be warmer in nature.

From these elections, 249 regions (45.7%) filed petition over the election results disputes to the Constitutional Court, totaling 314 petitions, of which 310 were registered. The petitions originated from 16 provinces, 190 regencies, and 43 cities, and alleged violations ranged from vote manipulation and bias of election officials or civil servants to breaches of ethics, administrative rules, and criminal provisions. However, only 40 cases (13%) advanced to evidentiary hearings, while the remaining 270 cases (87%) were withdrawn or dismissed due to jurisdictional issues, late submissions, lack of legal standing, failure to meet the vote margin requirement, or unclear claims.

After thorough examination—reviewing evidence, hearing expert and witness testimonies, and in some cases questioning the principal parties—the Constitutional Court established legal facts that formed the basis for its decisions. Ultimately, 26 cases were partially granted on February 24, 2025, marking the conclusion of the Court's adjudication of the 2024 regional election disputes.

Source : en.mkri.id

The Constitutional Court of Indonesia Receives Courtesy Visit



Constitutional Court of Zambia

On April 29, 2025, eight constitutional justices from the Constitutional Court of Zambia visited the Constitutional Court of Indonesia and were welcomed by Deputy Chief Justice Saldi Isra, Justices Ridwan Mansyur and Arsul Sani, and Secretary-General Heru Setiawan.



Supreme Court of Netherlands

Chief Justice Suhartoyo welcomed a delegation of the Supreme Court of the Netherlands on Friday, June 20, 2025 in the Constitutional Court. Supreme Court President Dineke de Groot, Vice President Mariken van Hilten, and Justice Tijs Kooijmans made the courtesy call alongside Mark Hengstman and Sinta Suryani from the Embassy of the Netherlands.



Supreme Court Justice of Japan

Deputy Chief Justice Saldi Isra welcomed a Justice and delegation from the Supreme Court of Japan on Monday, June 2, 2025. The Japanese delegation was represented by Supreme Court Justice Masaaki Oka and Director of International Cooperation Shinpei Takazakura and accompanied by the Secretary of the Japanese Ambassador to Indonesia Kakeru Fujiyama and JICA Expert Yohei Kunii.



Tribunal de Recurso de Timor Leste

Timor Leste High Court or Tribunal de Recurso de Timor Leste visited the Constitutional Court of the Republic of Indonesia (MKRI) on Friday (11/7/2025). The delegation was led by the President of the High Court of Timor Leste Afonso Carmona together with the Ambassador Roberto Sarmento de Oliveira Soares.

SCIENTIFIC DAY ON CONSTITUTIONAL INTERPRETATION AND DECISION-MAKING HELD BY THE CONSTITUTIONAL COURT IN COLLABORATION WITH IRZ

The Hashemite Kingdom of Jordan Constitutional Court organized a Scientific Day on the Methodology of Constitutional Interpretation and Decision-Making in cooperation with the German Foundation for International Legal Cooperation (IRZ) on May 14, 2025.

The event was officially inaugurated by the President of the Constitutional Court, Mr. Mohammad Al-Ghazou, and attended by the esteemed Members of the Court, Dr. Michael Eichberger, former judge of the Federal Constitutional Court of Germany and German expert, as well as Mr. Sidi Mohammed Khairi, Liaison Officer of the German Foundation and Head of Projects for Jordan and Uzbekistan.

In his opening remarks, President Al-Ghazou highlighted the methods, approaches, and principles that were historically adopted by the former High Council for Constitutional Interpretation and how these have been upheld and further developed by the Constitutional Court in interpreting the provisions of the Constitution.

Dr. Eichberger delivered two insightful academic papers during the event. His first presentation explored methods of constitutional interpretation, emphasizing core fundamentals, practical approaches, and key challenges in constitutional interpretation. His second paper focused on decision-making processes, underscoring the importance of precedents in constitutional jurisprudence, the influence of social change on constitutional rulings, and various practical challenges and their potential solutions.

Constitutional Court Member Mr. Hussein Al-Qaisi discussed the methods and approaches of constitutional interpretation within the Jordanian context. He underlined the significance of these interpretations and the essential differences between interpreting constitutional texts and ordinary legislation.



Meanwhile, Constitutional Court Member Professor Dr. Maysa Baydoun delivered a comprehensive presentation on the practical application of rulings, methodological approaches, and related challenges. She addressed the decision-making journey from case initiation to verdict, the role of judicial precedents, and how social developments influence constitutional decisions.

It is worth noting that the Constitutional Court of Jordan continues to foster a strategic partnership with the German Foundation for International Legal Cooperation (IRZ), aimed at strengthening constitutional justice, consolidating its principles, and promoting the rule of law.



Source : www.cco.gov.jo



CONSTITUTIONAL COURT OF THE REPUBLIC OF KAZAKHSTAN

REFORMS IN KAZAKHSTAN DISCUSSED AT THE COUNCIL OF EUROPE

Strasbourg, April 9 - 10, 2025 – Chairwoman of the Constitutional Court of Kazakhstan E. Azimova and Deputy Chairperson of the Senate of the Parliament of Kazakhstan O. Perepechina paid a working visit to the headquarters of the Council of Europe (CoE).

During the visit, the Kazakh delegation held meetings with CoE Secretary General A. Berset, CoE Commissioner for Human Rights M. O'Flaherty, President of the Parliamentary Assembly of the Council of Europe (PACE) T. Rousopoulos, Chairman of the PACE political group "European Conservatives, Patriots and Affiliates" PACE rapporteur on Kazakhstan Z. Nemeth, Judge of the European Court of Human Rights A. Arutyunyan, Deputy Secretary of the Venice Commission D. Freymann, and President of the Strasbourg Court F. Babot.

At the meeting with A. Berset, the parties discussed the further development of bilateral cooperation between Kazakhstan and the Council of Europe. The Head of the European organization was thoroughly informed about the ongoing democratic processes and constitutional reforms in Kazakhstan, as well as the activities of the Kazakh Parliament.

In his turn, Secretary General A. Berset recognized Kazakhstan as an important partner of the Organization. According to him, Kazakhstan and the Council of Europe share much in common, primarily their commitment to strengthening the human rights agenda. He highly appreciated Kazakhstan's active involvement in various mechanisms of the Organization, including the fight against corruption.

The Kazakh delegation briefed the Human Rights Commissioner on President K. Tokayev's initiatives aimed at radically transforming the country's political and socio-economic systems. It was emphasized that the reforms being carried out in Kazakhstan are driven by the demands of its citizens. The state is paying close attention to establishing an open dialogue with society and responding promptly to citizens' needs in the context of human rights protection.

O'Flaherty expressed satisfaction with the progress of reforms in Kazakhstan, including the abolition of the death penalty. He highlighted the importance of decentralization of power and the significant role of the Constitutional Court in the national human rights system. He expressed support for government initiatives aimed at assisting socially vulnerable groups.



During talks with the PACE President, issues of interparliamentary cooperation were discussed. Parliamentary diplomacy plays a key role in establishing direct contacts and addressing important issues. T. Rousopoulos was informed about the legislative activities of Kazakhstan's Parliament aimed at implementing reforms, improving legislation, and strengthening the rule of law. In addition, the PACE President was informed about the Congress of the Leaders of World and Traditional Religions held in Kazakhstan.

The current state of human rights protection was discussed during the meeting with PACE political group chairman Z. Nemeth. The European MP emphasized the importance of implementing human rights reforms in Kazakhstan and expressed support for developing closer ties with the country. Special attention was given to the implementation of the Neighbourhood Cooperation Priorities with Kazakhstan.

An in-depth discussion on ongoing reforms in Kazakhstan took place at the European Court of Human Rights. Judge A. Arutyunyan was presented with detailed information about the Constitutional Court's activities and the reforms being carried out. There was a constructive exchange of views on the role of constitutional oversight and its mechanisms of implementation.

At the meeting with the Venice Commission, practical steps for further cooperation and priority areas of interaction were discussed.

Reforms related to the establishment of the Constitutional Court in Kazakhstan were discussed at the meeting with F. Babot. Both sides emphasized the need and willingness to further develop mutually beneficial cooperation.

Source : www.gov.kz

INAUGURATION CEREMONIES HELD FOR NEWLY APPOINTED CONSTITUTIONAL COURT JUSTICES OF KOREA



President Kim Sanghwan took office on 24 July 2025 as the new President of the Constitutional Court of the Republic of Korea. Prior to joining the Constitutional Court, his professional experiences include having served as Justice of the Supreme Court, Minister of the National Court Administration, and Endowed Professor at the Jeju National University Law School.

The inauguration ceremony for President Kim and newly appointed Justice Oh Young-joon was held on the same day at the auditorium of the Constitutional Court. In his inaugural address, President Kim stated, “It is the duty of the President to further strengthen the public trust that the Constitutional Court has built through its numerous decisions to date.” He added, “At the heart of that duty lies a fundamental task: a trial that can be trusted and accepted, a trial that shares the purpose and spirit of the Constitution with the people.”

Justice Oh, who also took office on that day, remarked, “To be honest, the position of Constitutional Court Justice seems overwhelming in its depth and gravity, given the solemn responsibilities of protecting the Constitution and safeguarding fundamental rights.” He continued, “The only way I can express my commitment to fulfilling these responsibilities is through the words: dedication to the Constitution and the people.”

Earlier in the year, on January 2, the Court also held inauguration ceremonies for Justices Cho Hanchang and Chung Kyesun. In his address, Justice Cho expressed his vision for the Court’s evolving role in a rapidly changing society, stating, “With consideration and empathy, I intend to consider the direction in which our society will advance, while suggesting milestones for the future through flexible thinking that meets the needs of the times.”

Justice Chung emphasized the essential role of the Court in safeguarding democracy and fundamental rights. “Our Court’s mission has never been more critical than it is now. We must protect the constitutional order of the nation and ensure the fundamental rights of the people, by remaining impartial to any individual’s interests, gathering wisdom with open eyes and ears, and thereby showing the direction the Constitution points,” she stated.

On April 9, the inauguration ceremony for Justice Ma Eunhyeok was held at the same venue. Justice Ma highlighted the historical significance of the Constitution and pledged his unwavering commitment to its defense. “Our people shed their blood and sweat to protect the principles and order enshrined in our Constitution. I will devote myself, day and night, to ensuring that those principles and that order remain unwavering,” he declared.

These appointments reaffirm the Court’s dedication to its fundamental mission—preserving constitutional democracy, upholding human rights, and maintaining the balance of powers in the Republic of Korea.

On April 18, the Court also held a farewell ceremony for Justice Moon Hyungbae and Justice Lee Mison, marking the end of their six-year term that began in 2019. Justice Moon emphasized the importance of diversity, dialogue, and respect for the Court’s decisions in promoting social integration. Justice Lee urged the Court to continue protecting fundamental rights and safeguarding the constitutional order. Both were honored for their dedicated service and contributions to constitutional justice.

Source : www.ccourt.go.kr & www.aaccsrd.org



The inauguration of President Kim Sanghwan and Justice Oh Young-joon



Opening Ceremony of the International Conference Commemorating the 35th Anniversary of the Constitutional Court of the Kyrgyz Republic

On 17 June 2025, the Baytur Resort hosted the official opening ceremony of the international conference on the theme “The Formation of Constitutional Justice in New Democracies,” dedicated to the 35th anniversary of the Constitutional Court of the Kyrgyz Republic. The event commenced with a video address by the President of the Kyrgyz Republic, H.E. Sadyr Nurgozhoevich Japarov, who underscored the crucial role of independent constitutional justice in ensuring sustainable democratic development.

In his welcoming remarks, Chairman of the Constitutional Court of the Kyrgyz Republic, Mr. Emil Zholdoshevich Oskonbaev, expressed gratitude to international partners for their participation and highlighted the importance of joint efforts in addressing contemporary challenges.

The opening session also featured remarks from:

- Mr. M.A. Satyiev, Chairman of the Supreme Court of the Kyrgyz Republic
- Mr. Zh.S. Zhorobaev, Deputy Ombudsman of the Kyrgyz Republic
- Ms. E.A. Azimova, Chairperson of the Constitutional Court of the Republic of Kazakhstan
- Mr. M.-U.E. Abdusalomov, Chairman of the Constitutional Court of the Republic of Uzbekistan
- Mr. A.A. Dronov, Chairman of the Court of the Eurasian Economic Union
- Mr. B. Gungaa, Chairman of the Constitutional Court of Mongolia
- Mr. M. Šeparović, President of the Constitutional Court of Croatia
- Mr. A.G. Gesmundo, Chief Justice of the Supreme Court of the Philippines (video message)

Following the opening ceremony, plenary sessions commenced with presentations delivered by representatives from the constitutional courts of Croatia, South Korea, Romania, the Russian Federation, and other countries.

During the discussions, participants addressed issues such as the development and transformation of constitutional oversight institutions, the protection of human rights and freedoms, and the integration of modern technologies into judicial practices.

In addition, a meeting of the Committee of Members of the Eurasian Association of Constitutional Review Bodies was held, focusing on enhancing cooperation and reinforcing legal integration. The participation of representatives from 20 foreign countries underscores the growing significance of the Kyrgyz Republic as an international platform for legal dialogue.

Source : www.constsot.kg

CHIEF JUSTICE OF MALAYSIA PAYS COURTESY VISIT TO THE TURKISH CONSTITUTIONAL COURT

Chief Justice of the Federal Court of Malaysia, Ms. Tengku Maimun Binti Tuan Mat, paid a courtesy visit to the Constitutional Court of the Republic of Türkiye during an official visit to Ankara. She was accompanied by Mr. Abang Iskandar Bin Abang Hashim, President of the Court of Appeal of Malaysia, and other members of the Malaysian delegation.

The delegation was warmly received by President of the Turkish Constitutional Court, Mr. Kadir Özkaya. Also present at the meeting were Vice-Presidents of the Constitutional Court, Mr. Hasan Tahsin Gökcan and Mr. Basri Bağcı, as well as Justice Mr. Engin Yıldırım. The meeting was held in the office of President Özkaya.



During the meeting, President Özkaya emphasised the strong ties between Türkiye and Malaysia and expressed his gratitude for the visit of the Malaysian delegation. He underlined that the cordial relations between the respective countries were also reflected in the joint activities of their judicial institutions. Highlighting the existing ties between the high courts of the two countries within the scope of both the Association of Asian Constitutional Courts and Equivalent Institutions (AACC) and the Conference of Constitutional Jurisdictions of the Islamic World (CCJ-I), President Özkaya expressed his belief that the cooperation, which has been effectively demonstrated in joint activities, would continue to flourish.

Following the courtesy visit to President Özkaya's office, a bilateral meeting between delegations was held, with the participation of President Kadir Özkaya, Vice-Presidents of the Constitutional Court Mr. Hasan Tahsin Gökcan and Mr. Basri Bağcı, and Justices Mr. Engin Yıldırım, Mr. Recai Akyel, Mr. Yusuf Şevki Hakyemez, Mr. Selahaddin Menteş, Mr. İrfan Fidan, Mr. Kenan Yaşar, Mr. Muhterem İnce and Mr. Ömer Çınar. During the meeting, President Özkaya provided a general overview of the constitutionality review within the Turkish legal system, as well as a brief information on the working principles and procedures of the Turkish Constitutional Court. Meanwhile, Chief Justice of the Federal Court of Malaysia Ms. Tengku Maimun Binti Tuan Mat also shared insights into the duties and powers of the Federal Court, alongside the Malaysian legal system. The meeting also included an exchange of views on matters related to bilateral cooperation.

President of the Republic Mr. Recep Tayyip Erdoğan received Chief Justice of the Federal Court of Malaysia and President of the Malaysian Court of Appeal, who visited Türkiye as part of their visit to the Constitutional Court and the Court of Cassation. The reception at the Presidential Complex was also attended by President of the Constitutional Court Mr. Kadir Özkaya and President of the Court of Cassation President Mr. Ömer Kerkez.



Source : www.anayasa.gov.tr



UN Expresses Concern Over Judicial Independence in the Maldives

The dismissal by the Maldives Parliament of two Supreme Court justices raises serious concerns about respect for the independence of the judiciary.

Investigations were initiated against the judges by the Anti-Corruption Commission and Judicial Service Commission in February 2025. Around the same time, a third Supreme Court justice resigned, and the Chief Justice has subsequently retired.

Concerns have been raised with respect to the conduct of the proceedings against the judges. These developments followed the Supreme Court's hearing of a legal challenge to recent Constitutional amendments affecting lawmakers' ability to cross party lines.

We remind the authorities of their commitment to maintain and protect an independent judiciary, in line with the Maldives' Constitution and international human rights obligations. Checks and balances between the different branches of the State, including a strong and independent judiciary, play a vital role in ensuring fidelity to the rule of law by all branches of Government and the effective protection of human rights.

Source : www.ohchr.org

Seminar on Constitutional Law and Adjudication Paper of the Constitutional Tribunal of the Union

The Seminar was held at the meeting hall of the Constitutional Tribunal of the Union in Nay Pyi Taw, at 10:00 AM on 6 March, 2025. Deputy Director, Dr. Su Wah Htwe and Staff Officer, U Ngwe Tun presented the research paper on “Current Problems in the Execution of Judgments: Constitutional Justice (Constitutional Council of the Republic of Cameroon)”. After the presentation, the question and answer session was followed and the coach Dr. Marlar Aung, Member of the Constitutional Tribunal gave her fruitful remark. The Chairperson gave his concluding remark and the seminar ended.

The Chairperson and Members of the Constitutional Tribunal of the Union, Permanent Secretary, Deputy Permanent Secretary, Deputy Director General, officials, and Researchers from Ministry of Legal Affairs attended.

Source : myanmar.gov.mm



Presentation on Research Paper by Dr. Su Wah Htwe, Deputy Director and U Ngwe Tun, Staff Officer of the Constitutional Tribunal



Delivering the Closing Remark by Coach Dr. Marlar Aung, Member of the Constitutional Tribunal

VENICE COMMISSION AND MONGOLIAN CONSTITUTIONAL COURT HOLD SEMINAR ON LEGISLATIVE REFORM OF CONSTITUTIONAL PROCEDURE

On 5 May 2025, the Venice Commission of the Council of Europe and the Constitutional Court (Tsets) of Mongolia held a joint seminar on the legislative reform of the Constitutional Court and its procedure. The event took place at the National University of Mongolia.

Participants included justices of the Constitutional and Supreme Courts of Mongolia, members of Parliament, representatives of the European Union, legal scholars, civil society representatives, and members of the Venice Commission.

The seminar focused on the draft Law on the Constitutional Court and the draft Law on the Constitutional Court Procedure. Topics addressed included the composition and independence of the Court, standards for constitutional adjudication, transparency, digitalisation, and access to justice. The Venice Commission's Vice President, Ms Marta Cartabia, and other current and former Commission members contributed to the discussions.

The seminar was organised in the framework of the Joint EU/Council of Europe Programme "Support to democratic reforms, human right mechanisms and rule of law principles in Latin America, Central Asia and Mongolia".

Source : www.coe.int



Pakistan Participates in 20th SCO Chief Justices' Conference in China

The Chief Justice of Pakistan, Mr. Justice Yahya Afridi, led a delegation of judges to represent Pakistan at the 20th Conference of Chief Justices of the Supreme Courts of Shanghai Cooperation Organization (SCO) Member States, held in Hangzhou, China, from April 22–23, 2025.

The prestigious gathering brought together judicial leaders from SCO member states including China, Belarus, India, Iran, Kazakhstan, Kyrgyzstan, Pakistan, Russia, Tajikistan, Uzbekistan, Azerbaijan, and Türkiye. The conference addressed pressing judicial themes such as cybersecurity governance, judicial applications of artificial intelligence (AI), dispute prevention and resolution, protection of minors, and combating terrorism. In his keynote address on April 23, Chief Justice Afridi stressed the importance of building a robust platform for judicial cooperation. He highlighted the transformative potential of technology in enhancing efficiency, transparency, and access to justice, citing the Supreme Court of Pakistan's own strides in digitalization and case management.

He encouraged SCO member states to collectively embrace innovative legal technologies while proposing collaborative training programs, workshops, and knowledge exchange forums. While acknowledging the diverse legal traditions of SCO members, he called for harmonizing judicial procedures in commercial arbitration, environmental law, and human rights to reduce litigation uncertainties and boost investor confidence in the region. During this Conference, Supreme Court of Pakistan and China signed a memorandum of understanding (MoU) to significantly enhance bilateral judicial cooperation by establishing institutional linkages.

On the sidelines of the Conference, Chief Justice Afridi held bilateral meetings with the Chief Justices of Iran and Türkiye to discuss ways of strengthening judicial exchanges and cooperation.



Hon'ble Chief Justice of Pakistan Mr. Justice Yahya Afridi in a meeting with Chinese counterpart during Shanghai Cooperation Organization (SCO)

Source : www.thenews.com.pk

Supreme Constitutional Court of the State of Palestine

The Supreme Constitutional Court Participates in the Meeting of the Union of Arab Constitutional Courts and Councils

Abu Dhabi, March 2, 2025 – The President of the Supreme Constitutional Court, Judge Ali Mohanna, and Judge Abdul-Raouf Al-Sanadi participated in the 12th General Assembly meeting of the Union of Arab Constitutional Courts and Councils, as well as the 7th meeting of the Union's Executive Bureau, held in the UAE capital, Abu Dhabi.

Judge Mohanna met with the President of the Federal Supreme Court of the United Arab Emirates, Judge Mohamed Hamad Al-Badi, as he assumed the presidency of the Union of Arab Constitutional Courts and Councils.



The Union plays a significant role in strengthening constitutional cooperation among member states and enhancing the role of constitutional judiciary in addressing regional and international issues. In his remarks, Judge Mohanna highlighted the unique nature of constitutional judiciary in light of the current Palestinian reality, noting that Palestine is facing an extermination war waged by the occupying state against our Palestinian people. It is worth noting that the General Assembly of the Union approved the Executive Bureau's recommendation to grant Palestine full membership as a permanent member.

Source : www.tscc.pna.ps

CONSTITUTIONAL COURT OF RUSSIA TOOK PART IN THE XIII ST. PETERSBURG INTERNATIONAL LEGAL FORUM

Judges and Secretariat of the Constitutional Court of the Russian Federation participated in the XIII St. Petersburg International Legal Forum (SPILF) held from 19 to 21 May 2025. The SPILF is an annual event during which members of legal, business, political and law-enforcement communities discuss current issues. In 2025, the St. Petersburg International Legal Forum hosted more than 5,600 guests from 80 countries.



During the SPILF, the Chairman of the Constitutional Court Valery Zorkin has delivered a lecture entitled “Corruption – Danger to Civilization of Law”, stressing that corruption violates moral and ethical standards, undermines equality and justice, and contradicts the purpose and objectives of the state. Approximately 500 participants attended the lecture.

Judges and members of the Secretariat members of the Constitutional Court participated as speakers and moderators for several panels, and also attended the SPILF plenary session. At the panel “10 Years of The Court of the Eurasian Economic Union: Strengthening the Union’s Internal Market and Defending Business Interests”, Judge Sergey Knyazev discussed the Court’s vast experience in regulating the interaction between Eurasian Economic Union law and national legal systems. Judge Mikhail Lobov has moderated the session “Coercion or Consent? Returning to Consensus in International Law” where speakers addressed legitimacy of international legal provisions and argued that resolving the current crisis could be possible by returning to a world order based on consensus among sovereign states.

He also joined the discussion during the panels “Western Legal Aggression Against Russia: Current Challenges and Countermeasures” and “The Development of Economic Justice under External Sanctions Pressure: Challenges and Prospects. Judge Vladimir Sivitskiy presented statistical data on the activities of the Constitutional Court and commented on its fruitful cooperation with the Supreme Court of the Russian Federation, emphasising the importance of the latter’s work shaping the legal landscape of Russia through normative-like documents such as Rulings of its Plenary during the panel “Judicial Power in the Modern Legal System”.

Judge Andrey Bushev discussed the influence of constitutional principles (e.g., freedom of enterprise, good faith, solidarity, and trust in public authorities) on corporate legal practice during the panel “The General Counsel’s Risk Appetite”, and presented the Court’s extensive case-law on bankruptcy and highlighted its impact during the panel “The Court’s Role in Overseeing Bankruptcy Cases”. Judge Nikolay Melnikov has joined the panel “The Institute of State and Law: 100 Years of Service to the Nation” and pointed out the Institute’s significant contribution to the development of legislation and legal science. Evgeny Taribo, who at the time was the Head of the Secretariat of the Constitutional Court, presented the Court’s rulings on corporate property taxes at the panel “Property Tax Disputes Involving Organizations: Judicial Trends and Outlook”.

Source : www.ksrf.ru

Thailand and AACC Highlight Constitutional Justice at the 2025 World Law Congress in Dominican Republic

SANTO DOMINGO, 4–6 May 2025 — The Constitutional Court of the Kingdom of Thailand, representing both the Court and the Association of Asian Constitutional Courts and Equivalent Institutions (AACC), participated in the 2025 World Law Congress held in Santo Domingo, Dominican Republic. The Thai delegation was led by Constitutional Court Judge Noppadol Teppitak, accompanied by Judge Udom Sithiwiratham and Secretary of the Court, Surapol Maneepong. The delegation attended under the instruction of Mr. Nakarin Mektrairat, President of the Constitutional Court and President of the AACC.

The Congress, organized by the World Jurist Association (WJA) in cooperation with the World Law Foundation (WLF), brought together over 50 speakers and legal professionals worldwide to exchange insights on constitutional law, judicial independence, human rights, and emerging legal challenges, including the use of artificial intelligence (AI) in justice systems.

Judge Teppitak held bilateral talks with Mr. Enrique Arnaldo Alcubiña, President of the Ibero-American Constitutional Court Conference (CIJC), reaffirming the MoU signed between AACC and CIJC in Bangkok in 2024, marking a continued commitment to constitutional cooperation across regions.

Key themes discussed during the Congress included the protection of constitutional supremacy, the independence of the judiciary, rule of law principles, and the balance between democratic governance and legal safeguards for fundamental rights. The event also addressed the opportunities and challenges of AI in legal systems, calling for legal frameworks to ensure ethical and unbiased implementation.

The closing ceremony, held at the Autonomous University of Santo Domingo, was graced by His Majesty King Felipe VI of Spain, who emphasized the rule of law as essential for democratic governance.

Former U.S. Supreme Court Justice Anthony Kennedy received the WJA Medal of Honor for his dedication to justice, while Albanian Prime Minister Edi Rama confirmed Albania as the host of the next World Law Congress in 2027.

The participation of Thailand's Constitutional Court and the AACC reaffirmed the commitment of Asian constitutional institutions to global dialogue on upholding justice, human rights, and the rule of law.



Source : www.constitutionalcourt.or.th

SUPREME COURT OF THE PHILIPPINES MARKS 124TH ANNIVERSARY WITH REFLECTIONS ON REFORM AND PROGRESS

The Supreme Court (SC) celebrated its 124th Anniversary on June 11, 2025, highlighting the progress made under its reform program, the Strategic Plan for Judicial Innovations 2022–2027 (SPJI).

During the celebration at the Supreme Court of Appeals gymnasium in Manila, Chief Justice Alexander G. Gesmundo addressed SC officials and employees, reminding them of the SC's important role as "the final arbiter of legal disputes, the protector of people's rights, and the steadfast guardian of our Constitution."

He encouraged everyone in the Judiciary to continue building on the work of those who came before them and to rise to the challenge of modern times. "The world is constantly changing, and technology is reshaping our lives faster than we may even notice it. Every day, we are made aware of new vulnerabilities and threats, as progress rarely comes without challenges," he said.

To respond to these challenges, the SC launched the SPJI—a roadmap to make courts more efficient, innovative, and accessible to the people. "We wish to bring justice closer to the people, by showing them a truly responsive justice system that adapts to their needs, and not the other way around. Through reform and innovation, we wish to make people feel and see what real justice is truly about."

Under the SPJI, the SC has successfully institutionalized videoconference hearings, rolled out the Office of the Regional Court Manager, and pilot-tested AI tools such as voice-to-text software for court stenographers and AI-powered platforms to streamline legal research. The SC is also drafting an AI Governance Framework for ethical and effective integration across judicial operations.

Chief Justice Gesmundo also honored the people behind these achievements. "The Court has been able to stand its ground through crises and conflicts, not through sheer endurance alone, but through the strength and the resolve of its people, both past and present."

The Supreme Court of the Philippines celebrated its 124th anniversary with the theme "Supreme Court @124: Celebrating the Legacy of the Judiciary: Honoring the Past, Inspiring the Future, and Empowering the Present." The festivities began on June 10 with a photo exhibit showcasing the Court's history, followed by a Eucharistic Mass and a speech by Chief Justice Alexander G. Gesmundo on June 11. He emphasized unity and the daily pursuit of justice, stating, "The majesty of our institution lies not in the weight of the robes we don nor in the titles we bear, but in the unrelenting pursuit of justice." The celebration also featured musical performances and competitions, fostering camaraderie among SC officials and personnel.

Source : sc.judiciary.gov.ph





International Symposium on “The Future of Constitutional Justice in the 21st Century”

An international symposium marking the 63rd anniversary of the Turkish Constitutional Court was held in Ankara, bringing together prominent jurists, judges, and constitutional experts from around the world. The event focused on the evolving role of constitutional justice in the digital age.

In his opening remarks, President of the Turkish Constitutional Court, Mr. Kadir Özkaya, emphasized the Court’s commitment to international cooperation guided by universal constitutional principles. He highlighted the Court’s active role in global platforms such as the AACC, CECC, TÜRK-AY, and CCJ-I, and expressed hope that the symposium would offer new perspectives on international and constitutional law, particularly in the context of technological advancements.

The opening session featured high-level speeches from distinguished guests including the President of the African Court on Human and Peoples’ Rights, the Presidents of the Constitutional Courts of Thailand and Albania, and the Judge of the European Court of Human Rights representing Türkiye. They praised the symposium’s relevance and congratulated the Turkish Constitutional Court on its anniversary.

Over two days, academic sessions addressed key themes such as "Constitutional Justice in the Digital Age" and "New Challenges and Opportunities in Constitutional Justice." Speakers explored how courts can adapt to digital transformation, while safeguarding democratic values and human rights.

In the closing session, Vice-President Basri Bağcı underlined the need for courts to embrace beneficial innovations while guarding against the risks of digitalization in judicial processes.

As part of the anniversary events, the Turkish Constitutional Court signed memoranda of understanding with the constitutional and supreme courts of Iraq, Egypt, and Algeria, aiming to strengthen bilateral judicial cooperation.

A documentary film was also screened, showcasing the Court’s institutional journey and achievements over the past 63 years.

Source : www.anayasa.gov.tr



Uzbekistan Hosts International Conference on Modernizing Representative Institutions

On 17–18 April 2025, Tashkent hosted the international scientific and practical conference titled “Constitutional and Legal Issues in the Modernization of Representative Bodies: International Experience for Uzbekistan.” The event was jointly organized by the Institute of Legislation and Legal Policy under the President of the Republic of Uzbekistan, the Constitutional Court, and the Legislative Chamber of the Oliy Majlis.

The conference aimed to discuss ways to strengthen parliamentary and local representative institutions in line with the 2023 Constitution, while drawing on international best practices. It brought together lawmakers, government officials, scholars, and experts from nine countries—including the UK, France, Japan, China, Türkiye, and others—as well as representatives from key international organizations such as the Venice Commission, OSCE, and GIZ.

Held shortly after the 150th Assembly of the Inter-Parliamentary Union in Tashkent, the conference highlighted Uzbekistan’s growing role as a platform for global dialogue on democratic reforms. Participants recognized the country’s steady progress under the Uzbekistan–2030 Strategy and its commitment to inclusive, accountable governance.

Discussions focused on enhancing legislative activity, strengthening parliamentary oversight, increasing the role of political parties, and improving the effectiveness of local councils. Special attention was given to the 2024 parliamentary elections, conducted for the first time under a mixed electoral system, as a key milestone in democratic development.

Deputy Chairman of the Constitutional Court, Dr. A. Gafurov, delivered a presentation on ensuring constitutional legality in the work of local Kengashes.

The conference concluded with practical recommendations to support ongoing constitutional reforms and promote effective, transparent, and participatory governance in Uzbekistan.

Source : www.konstsud.uz





JURISPRUDENCE

PLENUM OF THE CONSTITUTIONAL COURT EXAMINED THE CONSTITUTIONAL CASE ON INTERPRETATION OF ARTICLE 294 OF THE CRIMINAL CODE IN TERMS OF PART VIII OF ARTICLE 71 OF THE CONSTITUTION

Plenum of the Constitutional Court of the Republic of Azerbaijan, chaired by Farhad Abdullayev, held a regular session.

At the court session was examined the constitutional case based on the inquiry of the Baku Court of Appeal on interpretation of Article 17.1.4 of the Law of the Republic of Azerbaijan "On Compulsory Insurance" in terms of Articles 373, 377.1 and 379 of the Civil Code of the Republic of Azerbaijan.

Having heard the report of Judge H.Afandiyeva, studied and discussed the reports of interested parties – Baku Court of Appeal and Staff of the Milli Majlis (Parliament), the conclusions of specialists – Center for Legal Expertise and Legislative Initiatives, Central Bank of the Republic of Azerbaijan, Sumgayit Court of Appeal and Bar Association of the Republic of Azerbaijan, opinion of expert – Associate Professor of the Civil Law Department of the Law Faculty of Baku State University, Doctor of Philosophy in Law S.Suleymanli, the Plenum of Constitutional Court of the Republic of Azerbaijan adopted decision.

The decision states that the period of limitation for claims related to insurance payment begins from the moment the insured (or beneficiary) knows (should have known) that the insurer has refused to pay the insurance payment, the insurance payment is made despite the disagreement with the amount of the insurance payment, as well as the expiration of the period for the performance of the insurer's obligation (the period provided for in Article 18.1 of the Law of the Republic of Azerbaijan "On Compulsory Insurance") if the insurance payment is not made and a notification of refusal of the insurance payment is not given.

In relation to insurance events under compulsory insurance of real estate, the "reference" provided for in Article 17.1.4 of the Law of the Republic of Azerbaijan "On Compulsory Insurance" does not include the decision of the authorized body determining guilt in administrative offenses or criminal cases related to that event.

The decision comes into force from the date of its publication, is final, and may not be cancelled, changed or officially interpreted by any institution or official.

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BANGLADESH'S CONSTITUTIONAL REFORMS: CAUGHT BETWEEN DEMOCRATIC HOPES AND AUTHORITARIAN RESILIENCE



In early 2025, Bangladesh's interim government, led by Nobel Laureate Professor Muhammad Yunus, introduced a series of constitutional reform proposals through the newly formed Constitutional Reform Commission (CRC). These reforms aim to address long-standing issues such as centralization of power and judicial weakness. However, the process has sparked controversy over its transparency, lack of inclusiveness, and potential to entrench executive dominance.

Legal scholar Arafat Hosen Khan analyzes the risks of bypassing legal safeguards in times of political transition, drawing lessons from other Global South nations such as Pakistan, Sri Lanka, Nepal, and South Africa. While the CRC proposals—including a bicameral legislature, decentralized judiciary, and independent judicial appointment body—seek to enhance democratic governance, concerns remain about institutional fragility and the exclusion of major political parties and minority groups.

The reform process bypassed key constitutional mechanisms, such as Articles 141A and 141B, and relied on the controversial “doctrine of necessity” to justify the interim government’s formation, echoing similar practices in Pakistan and Egypt that ultimately undermined democracy.

Critics warn that without inclusive dialogue, transparent procedures, and robust institutional safeguards—like South Africa’s Chapter 9 institutions—the reforms may recreate past governance failures. The establishment of a National Constitutional Council (NCC) and constitutional status for oversight bodies are positive steps, but their effectiveness depends on the entrenchment of genuine independence and multiparty consensus.

Ultimately, Khan argues that the legitimacy of Bangladesh’s constitutional reforms will rest not just on their content but on the participatory process behind them. Drawing from international examples, he calls for a democratic, inclusive, and transparent path forward to ensure lasting constitutional resilience.

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PRESIDENTIAL REFERENCE CASE: SC ISSUES NOTICE TO CENTRE, STATES ON TIMELINES FOR GOVERNOR, PRESIDENT'S ASSENT TO BILLS

The Supreme Court on Tuesday, July 22, 2025 issued notice to the Union government and all State governments on a Presidential reference seeking clarity on whether courts can prescribe timelines for the President and State Governors to act on Bills passed by State legislatures. Having issued the notice, a five-judge Constitution bench comprising Chief Justice B R Gavai, Justices Surya Kant, Vikram Nath, Pamidighantam Sri Narasimha, and Atul S Chandurkar posted the matter for further hearing on July 29. It also asked Attorney General R Venkataramani to assist the court in the matter. Solicitor General Tushar Mehta will represent the Central government in the hearing of the reference by President Droupadi Murmu invoking powers under Article 143(1) of the Constitution of India.

The Presidential reference—titled “In Re: Assent, Withholding, or Reservation of Bills by the Governor and President of India”—invokes Article 143(1) of the Constitution, which provides for the President to seek the Supreme Court’s opinion on questions of law or fact of public importance that have arisen or are likely to arise. The reference stems from the Supreme Court’s April 8, 2025 ruling, which laid down timelines for both Governors (Article 200) and the President (Article 201) to decide on Bills passed by State legislatures. The Court had ruled that Governors cannot delay assent indefinitely, and the President must act on reserved Bills within three months of receipt from the Governor. The judgment emphasized that there is no concept of a “pocket veto” or “absolute veto” under the constitutional framework of Article 200 and that the Governor must adopt one of the three constitutionally mandated courses of action.

On May 15, 2025, President Droupadi Murmu flagged 14 constitutional questions arising from the April 8 judgment, including whether the judiciary can impose time-bound mandates on the President and Governors for assenting to Bills, whether “deemed assent” is constitutionally permissible, and whether Articles 200 and 201 permit judicial scrutiny or mandates. The reference contends that the Constitution provides no express power for the judiciary to impose such mandates, arguing that the April 8 judgment infringes upon executive discretion. During the hearing, Senior Advocates KK Venugopal (for Kerala) and P Wilson (for Tamil Nadu) opposed the reference, questioning its maintainability. Wilson noted that the 14 questions raised had already been answered by the Supreme Court in earlier rulings, including the April 8, 2025 judgment concerning the Tamil Nadu Governor RN Ravi.

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THE STATE MUST FUND PRIVATE PRIMARY SCHOOLS THAT MEET REQUIREMENTS

Jakarta (MKRI) – The Constitutional Court partially granted the material judicial review petition of Article 34 paragraph (2) of Law No. 20 of 2003 on the National Education System (Education Law) – especially related to the phrase “compulsory education at the basic education level without charging fees”. In the verdict of Decision No. 3/PUU-XXII/2024, the Court stated that the Central and Local Governments must ensure that compulsory education is provided without charging fees in both government-organized primary education units and community-organized primary education units.

However, in terms of legal considerations, the Court emphasized that private schools or madrasas are not prohibited from fully self-financing their educational operations, as long as it does not conflict with statutory regulations. Meanwhile, educational assistance for students attending private schools can still only be provided to private schools or madrasas that fulfill specific requirements or criteria based on applicable regulations. The verdict on the petition filed by the Indonesian Education Monitoring Network and three individual petitioners –Fathiyah, Novianisa Rizkika, and Riris Risma Anjiningrum –was delivered on Tuesday, May 27, 2025, in the Plenary Courtroom.

“Granting the petition of the Petitioners partially. Stating that Article 34 paragraph (2) of Law No. 20 of 2003 on the National Education System is contrary to the 1945 Constitution of the Republic of Indonesia and has no binding legal force conditionally insofar as it is not interpreted as ‘The Government and Regional Governments guarantee the implementation of minimum compulsory education at the basic education level without charging fees, both for basic education units organized by the government and basic education units organized by the community,’” said Chief Justice Suhartoyo reading out the Verdict accompanied by other constitutional justices.

In legal consideration pronounced by Justice Enny Nurbaningsih, the Court considered that the phrase “compulsory education at the basic education level without charging fees” in Article 34 paragraph (2) of the National Education System Law, which explicitly states that its implementation only applies to public schools, has created discrepancy access to education to students who are forced to take their education in private schools/madrasas due to limited public schools capacity, as the Petitioners argued.

According to the Court, in such a condition, the state still has a constitutional obligation to ensure that students are not hindered from receiving basic education due to economic factors and limited educational facilities.

“As an illustration, in the academic year of 2023/2024, elementary public schools can only accommodate 970.145 students, meanwhile, private schools accommodate 173.265 students. As for junior high schools, public schools are recorded to accommodate 245.977 students, while private schools accommodate 104.525 students,” Justice Enny stated.

According to Justice Enny, the data show that although the state has attempted to fulfill its obligations in organizing basic education without charging fees by forming government-run education units, there are still gaps that prevent many students from being accommodated in public schools and force them to rely on the existence of private schools or madrasas. This means that, factually, there are still citizens who are students who fulfill their obligations to attend basic education in education units that are not managed by the state (private schools or madrasas), by having to pay a fee to participate in the education.

“Therefore, the fact does not align with the 1945 Constitution, especially Article 31 paragraph (2) of the 1945 Constitution, because the norm does not provide boundaries or limitations on the basic education that the government must fund. The constitutional norm obliges the state to fund basic education so that citizens may fulfill their obligations to attend basic education. In this case, the norm of Article 31 paragraph (2) of the 1945 Constitution must be interpreted as basic education organized by the government (public) and those organized by the communities (private),” Justice Enny mentioned.

Justice Enny also added that among the crucial aspects in implementing the provision is how the state can ensure that the education budget is allocated effectively and justly, including for those with limited access to public schools. In this case, to ensure the education rights of all citizens without discrimination, the state must provide an affirmative policy in the form of a subsidy and education fund assistance to those who only have the chance to study in private schools/madrasas due to the limited capacity of public schools.



JORDAN'S CONSTITUTIONAL COURT ISSUES LANDMARK RULING: TEACHERS' UNION DECLARED ILLEGAL

Jordan's Constitutional Court has issued a historic ruling declaring the Jordanian Teachers' Union law unconstitutional, deeming it entirely void from the date of the ruling, in a move described as pivotal in the kingdom's labor union work.

According to local media reports, the Court in its general assembly invalidated Teachers' Union Law No. 14 of 2011 and its amendments, which had been the official legal framework for the Teachers' Union since its establishment.

It is worth noting that the Jordanian Teachers' Union was founded in 2011, including teachers from various parts of the kingdom.

It has played a central role in union activities, especially in the major teachers' strike in 2019, where the union called for a halt to educational services in protest against low salaries and allowances.

The strike, which lasted for several weeks, ended with an agreement with the government to grant teachers financial allowances ranging from 35% to 50%, as reported by local sources at the time.

However, on July 25, 2020, a government decision was issued to suspend the union's activities for two years and close all its branches across Jordan.

It also decided to freeze the powers of the union council members, branch bodies, and management from exercising any authority, and to establish a temporary committee under the Ministry of Education to manage affairs during the freeze period.

This ruling comes after a series of tensions between the union and government authorities, including referring union issues to the judiciary by the Jordanian Public Prosecution, complicating the union's legal landscape in recent years.

The new judicial decision raises wide questions about the future of teachers' union representation in Jordan and reshapes the legal landscape of professional unions in the country.



The Constitutional Court has given interpretation to the regulation on the procedure for organising peaceful assemblies

The Constitutional Court had reviewed the constitutionality of subparagraphs 2) and 3) of the first part of paragraph 1 of paragraph 1 of Article 11 and subparagraph 10) of paragraph 1 of Article 14 of the Law of the Republic of Kazakhstan “On the procedure for organising and holding peaceful assemblies in the Republic of Kazakhstan”.



The grounds of the appeal:

The reason for the inspection was the appeal on the refusal of the Astana City Akimat to organise a peaceful assembly at the place and time proposed by the organiser. According to the subject of the complaint, the contested provisions of the law allow local executive bodies to arbitrarily refuse to organise a peaceful assembly without first offering the organiser an alternative proposal to change the place and/or time, which violates the principle of proportionality of the refusal and the degree of possible threat.

Position of the Constitutional Court:

The right to peaceful assembly is not absolute and may be legally conditioned for the purposes specified in the Constitution. In each specific case, the decision to refuse to hold a peaceful assembly should be based on a thorough analysis of all available circumstances and possible risks, taking into account the objectives, relevance, public importance and scale of the events, as well as other objective factors. Information on the occupancy of specialized venues posted on the Internet resource of the local executive body should give citizens a clear idea, at a minimum, of the planned events, the place and date of their holding, the time of beginning and end, and the expected number of participants. The decision to refuse to hold peaceful assemblies, in turn, must be justified and motivated and can be appealed, which is expressly provided for in the Law.

The Constitutional Court's decisions:

The Constitutional Court, as a result of the review, recognized subparagraphs 2) and 3) of the first part of paragraph 1 of Article 11, paragraph 1 of the Law as complying with the Constitution. At the same time, with regard to subparagraph 10) of paragraph 1 of Article 14 of the Law, the Constitutional Court gave a clarifying interpretation, according to which the proposal of the local executive body to change the place and (or) time of a peaceful assembly before the adoption of a decision on refusal is mandatory.





KOREA

KOREAN CONSTITUTIONAL COURT UPHOLDS IMPEACHMENT

On April 4, 2025, the Constitutional Court of the Republic of Korea delivered its decision in Case No. 2024Hun-Na8, removing President Yoon Suk-yeol from office on the grounds of grave violations of the Constitution and statutory laws during the execution of his official duties. The case stemmed from events on December 3, 2024, when President Yoon declared emergency martial law during a televised address, citing political paralysis caused by actions of the opposition party, including impeachment attempts, special investigations, and budget cuts. Justifying the move as necessary to defend the liberal democratic order from North Korean threats, President Yoon deployed military and police forces to the National Assembly and key state institutions, and issued Martial Law Command Proclamation No. 1 through the martial law commander.

In response, the National Assembly swiftly acted. At 01:02 AM on December 4, 2024, it passed a resolution—by a unanimous vote of 190 out of 190 members present—demanding the immediate lifting of martial law. President Yoon subsequently announced the termination of martial law at 04:20 AM, and the State Council formally approved the resolution shortly thereafter.

Despite the lifting of martial law, the National Assembly initiated impeachment proceedings. An initial impeachment vote on December 7, 2024, failed due to a lack of quorum. However, a second resolution was proposed on December 12 and passed on December 14, 2024, with 204 votes in favor out of 300 total members during an extraordinary session. On the same day, the impeachment prosecutor submitted the resolution to the Constitutional Court, which found that the President had committed serious constitutional violations justifying his removal from office.



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MONGOLIA

DRAFT LAW ON THE CONSTITUTIONAL COURT OF MONGOLIA AND THE EXPLANATORY NOTE



Draft Law on Constitutional Court: In 2025, Mongolia considered major reforms in the law governing its Constitutional Court, with provisions for public participation in judicial appointments, explicit guarantees of independence, and transparent nomination and disciplinary processes.





THE PHILIPPINES

Online ‘Sweetheart’ Guilty of Rape and Qualified Trafficking for Sexual Exploitation of Minor

The Supreme Court has affirmed that inviting and meeting with a minor for purposes of sexual exploitation is qualified trafficking in persons. In a Decision written by Associate Justice Antonio T. Kho, Jr., the SC En Banc found a 68-year-old foreigner guilty of rape and qualified trafficking in persons for sexually exploiting a minor. The SC held that the foreigner forced the victim to go to his apartment to engage in sexual acts in exchange for money and under threat of uploading her nude photos online if she refused.

The minor met the foreigner through Facebook Messenger, and they later became online “sweethearts.” The foreigner began asking her for nude photos, offering money in return. She initially complied, but later told him to stop asking for photos. However, the foreigner became angry and threatened to upload her nude photos on Facebook if she refused. He then convinced her to meet him in person to have sex, again promising money. The minor went to the foreigner’s apartment, and after eating and drinking wine, the foreigner had sexual intercourse with her. Despite the minor’s pleas for him to stop, he continued the assault. When the foreigner fell asleep, the minor escaped and immediately went to the police for help.

The Regional Trial Court and Court of Appeals found him guilty of sexual abuse under Republic Act No. (RA) 7610 or the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and qualified trafficking under RA 9208, or the Anti-Trafficking in Persons Act of 2003, as amended by RA 10364, or the Expanded Anti-Trafficking in Persons Act of 2012.

While the SC upheld the conviction for qualified trafficking, it found the foreigner guilty of rape under the Revised Penal Code (RPC) and not sexual abuse under RA 7610. Trafficking occurs when a person is harbored or received for prostitution, pornography, or sexual exploitation. Harboring may refer to accommodating or holding a person at the place of exploitation, while receipt can refer to meeting a person at an agreed-upon location. There is sexual exploitation when a person participates in prostitution or the production of pornographic materials due to threat or abuse of the victim’s vulnerability. The crime is qualified, or comes with a higher penalty, when the victim is a minor.

The SC found that the victim was a minor and that the foreigner received her in his apartment. He had taken advantage of her youth and vulnerability, including her family’s severe poverty, and threatened to post her nude photos online if she declined to meet him. Rape under Article 266-A(1)(A) of the RPC is committed when a man has sexual intercourse with a woman through force, threat, or intimidation or when the victim is under 12 years of age.^[OBJ]

On the other hand, under Section 5(b) of RA 7610, sexual abuse includes sexual intercourse or lascivious conduct committed against a child below 18 years old, who is either exploited in prostitution or subjected to other forms of sexual abuse.

In this case, the SC noted that the charge against the foreigner did not allege that the minor was exploited in prostitution or subjected to sexual abuse as defined under RA 7610. What was charged and proven during trial is that he used “force and intimidation,” an element of rape under the RPC.

He was sentenced to a maximum of 40 years in prison for rape, and ordered to pay the victim PHP 225,000 in damages. For the crime of qualified trafficking, he was sentenced to life imprisonment, fined PHP 2,000,000, and ordered to pay PHP 600,000 in damages.

In his Concurring Opinion, Senior Associate Justice Marvic M.V.F. Leonen agreed with the ruling but added that the foreigner should also have been charged with pornography under RA 9775, or the Anti-Child Pornography Act of 2009, in relation to the Cybercrime Prevention Act of 2012. Associate Justice Amy C. Lazaro-Javier, in her Concurrence and Dissent, agreed with the foreigner’s conviction of rape. However, she said that the foreigner should not be penalized for qualified trafficking, arguing that he did not hire the minor for prostitution to a third party. Associate Justice Japar B. Dimaampao, in his Concurring Opinion, held that trafficking does not require hiring the victim as a prostitute. Coercion and threats for sexual exploitation are enough. (Press release courtesy of the SC Office of the Spokesperson)

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The Judgment Finding a Violation of the Right to Property due to Insufficient Compensation Awarded for the Immovable Property Registered in the name of the Treasury



The immovable property in dispute, which was formed through the subdivision of a plot registered in the name of M.K., was registered in the applicant's name in the land registry on 19 November 1990. On 15 May 2008, the General Directorate of Forestry brought an action seeking the annulment of the applicant's title deed and the registration of the property in the name of the Treasury as forest land, on the grounds that the property had previously been forest and fell within the boundaries of a definitively demarcated forest area. At the end of the proceedings, the incumbent court annulled the applicant's title deed and ordered the registration of the property in the name of the Treasury as forest land.

Subsequently, the applicant brought an action for pecuniary compensation against the Treasury, while reserving the right to claim any surplus. The applicant amended his initial claim, increasing the amount to 120,976.52 Turkish liras (TRY), which was the amount specified in the expert report obtained during the proceedings. The court ordered the payment to the applicant of the amount specified in the expert report, plus statutory interest to accrue from the date of the institution of the proceedings.

On appeal, the Court of Cassation quashed the decision, stating that the value of the immovable property should have been determined based on the finalisation date of the decision regarding the action for annulment of title deed and registration. Accordingly, the court conducted a new on-site inspection and obtained an additional expert report, which stated that the value of the property as of the finalisation date of the decision on the annulment of title deed and registration was TRY 38,521.12. The court awarded this amount to the applicant, together with statutory interest accruing from the date when the proceedings were instituted. The court also awarded the applicant attorney's fees amounting to TRY 4,587.32 based on the accepted compensation amount, but also ordered the applicant to pay TRY 9,346.43 as attorney's fees for the rejected part of his claim, to be transferred to the Treasury. On appeal by both parties, the Court of Cassation rejected the appeals and upheld the first-instance decision. It ordered the payment of attorney's fees amounting to TRY 2,037 by the applicant to the defendant administration. Accordingly, the total amount the applicant was required to bear for attorney's fees following the proceedings amounted to TRY 11,383.43.





NEWS FROM FELLOW ASSOCIATIONS





DOMINICAN REPUBLIC HOSTS 22ND IBERO-AMERICAN JUDICIAL SUMMIT

With the participation of 23 member countries and under the motto “Justice on Time to Guarantee the Dignity of People,” the XXII Ibero-American Judicial Summit took place from Wednesday, 14 May through Friday, 16 May 2025 at the Eduardo Brito National Theater in Santo Domingo.

The gathering brought together legal experts from Latin America, Spain and Portugal. The objective was to strengthen judicial ties between member countries and generate common strategies for a more modern, accessible, and humane justice system.

President Luis Abinader officially declared the summit open. Accompanying him were Henry Molina, president of the Supreme Court of Justice and temporary secretary of the summit; Elena Martínez Rosso, minister of the Supreme Court of Uruguay and permanent secretary of the CJI; and Andrés Allamand, Ibero-American Secretary General.

The key themes of the conference were digital justice, ethics and transparency. The agenda included debates on the challenges and advancements within Ibero-American judicial systems, focusing on:

- Reducing judicial backlogs
- Transparency and access to justice
- Judicial ethics
- Artificial Intelligence and technology in courts
- Plain language in court rulings
- Judicial pedagogy and the future of justice

The XXII Ibero-American Judicial Summit brought together representatives from the following 23 member countries: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Portugal, Spain, Uruguay and Venezuela.

Additionally, the Ibero-American General Secretariat (SEGIB) and other relevant international organizations also participated.

Source : dr1.com



BULGARIAN CONSTITUTIONAL COURT JOINS “CIRCLE OF PRESIDENTS” PREPARATORY MEETING FOR CECC XXTH CONGRESS

The President of the Constitutional Court of Bulgaria Pavlina Panova and the Secretary General Valentin Georgiev took part in the preparatory meeting of the Circle of Presidents of the Constitutional Courts, members of the Conference of European Constitutional Courts (CECC), which was held on 28 February 2025 in Tirana, Albania. The Forum prepared the agenda, the discussion themes and the organisation of the Congress of the Conference of European Constitutional Courts to be held in 2027.

At the meeting, the Constitutional Court of the Republic of Kosovo was joined as a member of the CECC.

Pavlina Panova presented the candidature of the Balkan Constitutional Courts Forum as an observer to the Congress of the Conference of European Constitutional Courts, which candidature was unanimously accepted.

The Balkan Constitutional Courts Forum was established in 2023 in Sofia, its founding members being the Constitutional Courts of Albania, Bulgaria, Kosovo, Montenegro, North Macedonia and Turkey and observers being the jurisdictions of Bosnia and Herzegovina, Croatia, Greece and Romania. The observer status of the Balkan Constitutional Courts Forum in the Conference of European Constitutional Courts is a recognition of its significance as a regional organisation for sharing best practices and expertise among the constitutional judges of the respective countries as well as for exchanging practices among the administrations of these institutions.

Source : www.constcourt.bg

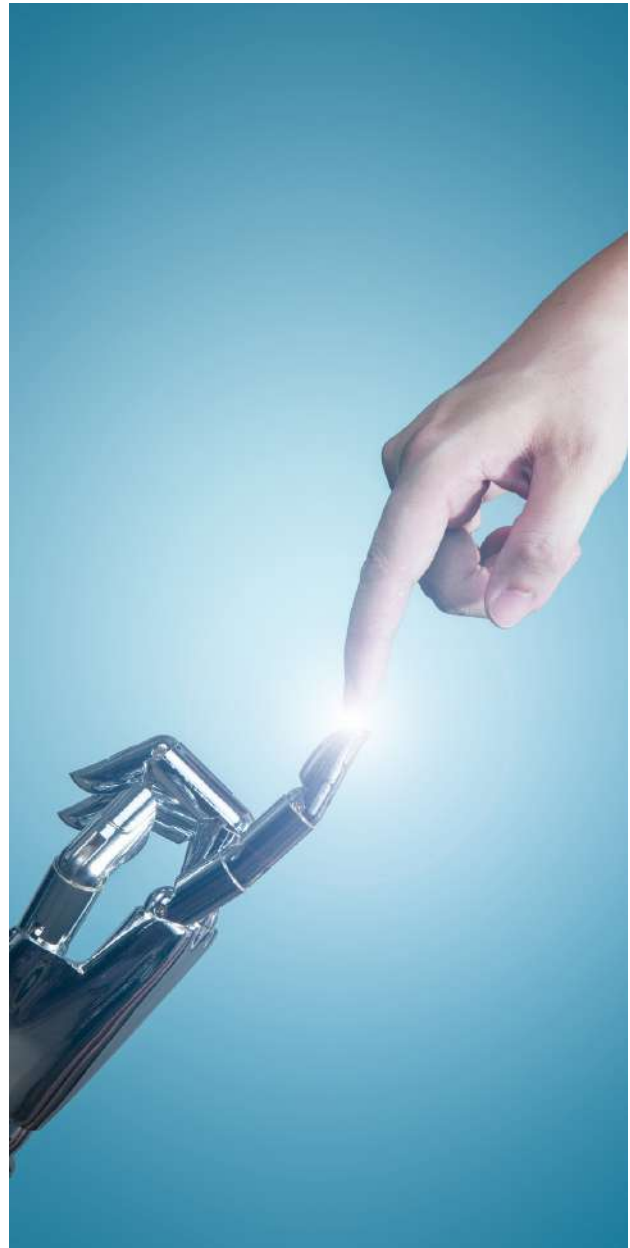


CJCA: LAUNCH OF A WEBSITE CREATION PROGRAM FOR THE BENEFIT OF THE MEMBER COURTS

As part of the CJCA's ongoing effort to promote information, communication and exchange tools adapted to new technologies, within the CJCA's member jurisdictions, the General Secretariat intends to launch, in its 2025- 2026 action plan, an ambitious program to support African Councils, Constitutional and Supreme Courts that do not have their own website, by providing them with the necessary Internet sites to enable them to communicate and publicize their activities.

The creation of websites is an important step in modernizing constitutional justice and improving access to information. This digitalisation makes it possible to improve visibility, promote the use of digital technologies, facilitate the search for information and disseminate legal and constitutional culture.

The number of African Courts and Councils that have been identified and that do not have their own website, and are therefore eligible to benefit from this programme, is about 15 African constitutional and supreme courts, namely: Chad, Cameroon, Central African Republic, Guinea, Rwanda, Niger, Mali, Guinea-Bissau, São Tomé, Guinea, Djibouti, Comoros, Somalia, Gambia, South Sudan and Lesotho. The launch of this program is scheduled for the last quarter of the current year.





**PERMANENT SECRETARIAT
FOR PLANNING AND COORDINATION**

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