



5th Congress of the World Conference on Constitutional Justice
“Constitutional Justice and Peace”
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Closing remarks

by

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*Honourable Chief Justice of the Constitutional Court of the Republic of Indonesia,
Honourable Presidents and Judges of Constitutional Courts and equivalent bodies,
Ladies and Gentlemen,*

The 5th Congress of the World Conference on Constitutional Justice and Peace is coming to an end.

I would like to thank once again his Excellency, the President of the Republic of Indonesia, and the President of the Constitutional Court of the Republic of Indonesia, our hosts, for their warm welcome and the excellent organisation of this event. You have spoiled us with your generous hospitality and given us many memories of your beautiful country.

My deepest gratitude goes to everyone who attended this Congress, in person or remotely; to the chairs of the sessions, speakers, discussants, rapporteurs and all those who contributed to the discussions and have given us much food for thought and action; to the Secretary General of the World Conference, Schnutz Dürr, and his team for their organisational efforts;

to all the interpreters, who ensured we could understand each other; and, above all, to Mr Hamzah, Mr Hutasoit and the staff of the Constitutional Court of Indonesia who have made extraordinary efforts to ensure this hybrid conference ran so smoothly.

Ladies and Gentlemen,

I would like to make a couple of remarks to wrap up this conference.

Peace and constitutional justice are important issues of common concern on all continents and for all countries.

Over the last 2 days of this 5th Congress we have heard how constitutional courts can be actors of regulation and stabilisation of social peace, through the control of the constitutionality of norms and the settlement of disputes between state bodies, even without constitutional provisions devoted explicitly to peace or reconciliation.

We have heard how constitutional peace can relate to countless settlements of disputes touching upon the inviolable and imprescriptible rights of citizens, the protection of sovereignty and territorial integrity, or the reconciliation in post-conflict situations.

We heard about the necessity of legally binding decisions, compatible with the right to challenge and protest as part of a democratic order. We have also discussed the limits of your courts in contributing to peace.

We have paid attention to illustrious examples of case-law demonstrating how the protection of human rights, democracy and the rule of law contributes to social peace, leading one speaker to echo the idea expressed at our 3rd Congress: The idea to establish an Asian Human Rights Court – an idea I wholeheartedly support. We also heard from the Constitutional Court of Indonesia about the initiative to establish a Constitutional Supremacy Index in the framework of the Association of Asian Constitutional Courts, which could then be opened to other courts.

However, we have also heard how the role of constitutional courts in settling disputes and thus contributing to peace has been challenged by other state powers or through the media.

This has also highlighted the wisdom of our Bureau in making this – following our 2nd Congress in Rio de Janeiro – a permanent topic of the congresses of the World Conference.

Ladies and gentlemen

“True peace is not merely the absence of tension: it is the presence of justice”, once said Martin Luther King.

These words from Martin Luther King still resonate today.

We must celebrate our achievements, but also face our challenges in our continuing mission.

But whatever the upheavals, whatever the difficulties, the important thing is to be committed to the path you are on: defend constitutional justice, and thus contribute to social peace.

In this spirit, allow me to conclude with what has become a tradition in my concluding remarks at the congresses of the World Conference:

The World Conference on Constitutional Justice is here to assist you. It is a forum that is there for you, to share ideas with other judges and to provide support where it is needed.

Thank you very much for your attention.