



**3rd Congress of the World Conference on Constitutional Justice
'Constitutional Justice and Social Integration'
Seoul, Republic of Korea, 28 September – 1 October 2014**

**Opening address by Mr Gianni Buquicchio
President of the Venice Commission**

Honourable President of the Republic of Korea,
Honourable President of the Constitutional Court of the Republic of Korea,
Honourable Chief Justice of Brazil, our previous host,
Honourable Chief Justices and Presidents of Constitutional and Supreme Courts and
Councils,
Honourable Justices,
Ladies and Gentlemen,

Let me first thank our hosts and friends from the Constitutional Court of Korea and the Korean authorities for the excellent organisation of this event, for their kind hospitality and for the warm welcome to Seoul! Ms Lim and her team have done a great job!

With this 3rd Congress a dream of mine has come true. Unlike the first and second Congress, this is the first event that gathers Constitutional and Supreme Courts and Councils within the framework of a permanent body, the World Conference on Constitutional Justice, on the basis of its own Statute.

In Cape Town and in Rio de Janeiro, we thought that a membership of 60 courts would be a huge success. However, since then, no less than 92 Courts and Councils have joined the World Conference.

This overwhelming interest from the Courts, which have all accepted the Statute and its principles, is impressive.

Chief Justice Marshall and Professor Kelsen would certainly be pleased to see us here!

I welcome the fact that the vast majority of the Courts present here today are already full members of the World Conference and I call upon all the other Courts to join the World Conference as full members.

Mr President of the Constitutional Court of Korea,

According to the Statute, the Venice Commission of the Council of Europe acts as the Secretariat of the World Conference and we are proud of that role, which requires a great deal of work and investment.

I am most grateful to Mr Schnutz Dürr and his team for their dedication to this task.

Organising congresses every three years gives us the opportunity to meet face to face and discuss current events affecting constitutional justice in the world.

However, the World Conference is also a permanent platform for the exchange of information and for dialogue between the Courts and their judges.

To ensure that this dialogue can take place, we provide solid tools: the CODICES database and the Venice Forum, a confidential means of quickly exchanging information between Courts.

We think that these permanent electronic tools are as important to the World Conference as our congresses, which enable the judges to gather and to exchange information in person.

Allow me to point out that CODICES and the Venice Forum, which are at your disposal, are funded by the Venice Commission.

These services have a purpose and this purpose is inscribed in Article 1 of the Statute of the World Conference: the promotion of constitutional justice as a key element for democracy, the protection of human rights and the rule of law.

We are convinced that effective constitutional justice is an essential part of a democracy under the rule of law.

Therefore, the Venice Commission not only advises parliaments and governments on the drafting of constitutions, we also assist constitutional courts and supreme courts in implementing these constitutions.

Ladies and Gentlemen,

Let me conclude with a few words on the topics of the 3rd Congress.

Mr President of the Constitutional Court of the Republic of Korea, you have proposed a timely topic. The economic crisis has gripped many of the countries represented at our Congress today.

Social integration, or rather the prevention of social disintegration, is high on the agenda of many Governments. Constitutional Courts, Supreme Courts and Constitutional Councils and Chambers often have an important role to play in this process.

They have to do so by upholding the Constitution of their countries. Social crises must not lead to scaling down democracy and human rights.

We also have another topic. The independence of the Constitutional and Supreme Courts was the theme of our 2nd Congress in Rio de Janeiro in January 2011. Unfortunately, this is a recurrent topic.

The Bureau of the World Conference has wisely decided to include this topic as a permanent one for future congresses. In session 5, we will take stock of threats made to the independence of the Court members of the World Conference.

Even before that session, let me insist that the World Conference is not only in the position to take stock of such dangers, but according to Article 4 of the Statute, the Bureau of the Conference is empowered to offer its good services when a member Court calls upon it for help.

In Europe, the Venice Commission sometimes has to play this role to come to the rescue of Constitutional Courts.

The World Conference is equipped to assist its members. Sometimes even a moral encouragement from other Courts will provide enough support for a Court under pressure to be able to stand up against outside pressure.

Let us work together for independent constitutional justice in our member countries!

Thank you very much for your attention.