



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS  
AND EQUIVALENT INSTITUTIONS  
AND THE CONFERENCE OF EUROPEAN CONSTITUTIONAL COURTS  
ON JUDICIAL CO-OPERATION ACTIVITIES**

The Association of Asian Constitutional Courts and Equivalent Institutions and the Conference of European Constitutional Courts, hereinafter referred to singularly as “the Participant” and collectively as “the Participants”,

**considering** the necessity of advancing legal and judicial co-operation between the two organizations through the exchange of experience and information on the constitutional cases and jurisprudence,

**recognizing** the significance of providing an adequate legal framework for deepening institutional cooperation,

**convinced** that initiating and expanding methods of interaction and exchange of information between the Participants will be mutually beneficial for the protection of human rights, the strengthening democracy and promotion of the rule of law,

have reached the following understandings:

**Article 1**

**OBJECTIVE**

The Participants, subject to the provisions of this Memorandum of understanding, will endeavor to strengthen, promote and develop judicial co-operation between the Participants on the basis of reciprocity and mutual benefit.

## **Article 2**

### **AREAS OF CO-OPERATION**

Each Participant will endeavor to take necessary steps to encourage and promote co-operation in the following areas:

- a. creation of conditions for the mutual exchange of information, experience and other materials of a legal nature in the field of constitutional justice among the members of the Participants;
- b. joint organization of conferences, seminars and/or other events on pressing issues of constitutional justice of mutual interest;
- c. conducting fundamental research on the methods of constitutional review, guarantees of human rights and freedoms and the establishment of democratic values;
- d. building institutional capacity through mutual visits, professional courses, trainings, internships; and
- e. other areas of co-operation as mutually agreed by the Participants in accordance with the Objective of this Memorandum of Understanding as stipulated in Article 1.

## **Article 3**

### **FORMS OF COMMUNICATION**

1. In order to determine the strategic directions of understanding, the Participants will meet as and when necessary, and delegations may include representatives of their members.
2. Communication between the Participants under this Memorandum of Understanding is assigned to the Secretariats of the Participants.
3. Participants may designate one or more employees as their liaison officers to conduct current affairs and conduct correspondence.

## **Article 4**

### **OFFICIAL WORKING LANGUAGE**

1. The official working language of the Memorandum of Understanding will be English.
2. Administrative and all related documents will be drawn up in the language specified in paragraph 1 of this Article 4, unless Participants have agreed otherwise.

**Article 5****FINANCIAL ARRANGEMENTS**

The financial arrangements to cover expenses for the co-operation activities, projects or programmes undertaken within the framework of this Memorandum of Understanding will be mutually decided upon by the respective Participants on a case-by-case basis subject to the availability of funds.

**Article 6****CONSULTATION**

The Participants will consult, at times mutually decided upon by the Participants, through their representatives, concerning the interpretation or application of this Memorandum of Understanding either generally or in relation to a particular matter.

**Article 7****REVISION, MODIFICATION AND AMENDMENT**

1. Either Participant may request in writing a revision, modification or amendment of all or any part of this Memorandum of Understanding.

2. Any revision, modification or amendment agreed to by the Participants will be reduced into writing and will form part of this Memorandum of Understanding.

3. Such revision, modification or amendment will enter into effect on such date as may be determined by the Participants.

4. Any revision, modification or amendment will not prejudice the benefits and commitments arising from or based on this Memorandum of Understanding before or up to the date of such revision, modification or amendment.

**Article 8****EFFECT OF MEMORANDUM**

This Memorandum of Understanding serves only as a record of the Participants' intentions and does not constitute or create obligations under international or domestic law and will not give rise to any legal process and will not be deemed to constitute or create any legally binding or enforceable obligations, express or implied.

**Article 9****ENTRY INTO EFFECT, DURATION AND TERMINATION**

1. This Memorandum of Understanding will enter into effect on the date of signing and will remain in effect for a period of five years. This Memorandum is automatically renewed for the next five years, if none of the Participants declares in writing their intention to terminate it.

2. Notwithstanding anything in this Memorandum of Understanding, either Participant may terminate this Memorandum of Understanding by notifying the other Participant of its intention to terminate this Memorandum of Understanding by a notice in writing at least six (6) months prior to the intended date of termination.

3. The termination of this Memorandum of Understanding will not prevent the completion of the co-operation activities that might have been formalized prior to the date of the termination of this Memorandum of Understanding, unless otherwise decided.

The foregoing represents the understanding reached between the Association of Asian Constitutional Courts and Equivalent Institutions the Conference of European Constitutional Courts upon the matters referred to therein.

Signed in Nur-Sultan online on 26 August 2021 in two original copies, each in Russian and English, both copies are authentic and have equal power. In the event of a difference of interpretation, the English text shall prevail.

For the Association  
of Asian Constitutional Courts and  
Equivalent Institutions

  
**Kairat MAMI**

For the Conference of European  
Constitutional Courts

  
**Domnica MANOLE**