



MAHKAMAH KONSTITUSI  
REPUBLIK INDONESIA



# *Proceeding*

**MEETING OF THE SECRETARY GENERALS  
THE ASSOCIATION  
OF ASIAN CONSTITUTIONAL COURTS  
AND EQUIVALENT INSTITUTIONS**

**Solo, Indonesia, 7<sup>th</sup> August 2017**



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**COURTS AND EQUIVALENT INSTITUTIONS**

Prepared by:  
**Proceeding and Minutes Team 2017**

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**VERBATIM MEETING OF THE SECRETARY GENERAL**

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**MEETING OF SECRETARY GENERALS**  
**ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS**  
**AND EQUIVALENT INSTITUTIONS**  
**7 AUGUST 2017, SOLO, CENTRAL JAVA, INDONESIA**

**1. MASTER OF CEREMONY I: RAHMAT IDRIS**

Justice of Constitutional Court of Republic of Indonesia, and also the President of Association of Asian Constitutional Courts as Excellency Prof. Doctor Arief Hidayat S.H., M.S., Secretary General, Heads of Delegates and Delegates from Participating Member States, Distinguished Guests, Ladies and Gentlemen.

Very good morning and a warm welcome to the beautiful and historical city of Solo Central Java, Indonesia.

Today, the 7<sup>th</sup> of August 2017, marks the meeting of Secretary Generals of the Association of Asian Constitutional Courts and Equivalent Institutions. We are honored to begin this morning meeting, by inviting a few warm words of welcome and opening from The Chairperson, Secretary General of Constitutional Court of The Republic of Indonesia, Prof. Dr. Muhammad Guntur Hamzah S.H., M.H., please.

**2. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much. Can start now? Oke.

Good Morning, Fellow Secretary Generals. If I may, for the success of today's meeting, I would like to proceed using Bahasa Indonesia. You can listen to the translation in English, Russia, and Spanish with your headset. Thank you very much for your cooperation.



Honorable, The Chair of The Constitutional Court and The President of AACC, Professor Dr. Arief Hidayat.

Distinguished Ladies and Gentlemen, allow me to welcome, to bid welcome and extend our gratitude, our utmost gratitude for all of you to provide your time to visit Indonesia and attend The Secretary General Meeting of The Constitutional Courts and Equivalent Institutions for Asian or AACC. I will act as the moderator for this meeting today.

The meeting today is the meeting of the secretary general, the 4th one after the previous meeting. The 1st meeting was held in Jakarta in 2015 in the month of May 2015, which was followed by several other meetings both conducted in Jakarta and lastly in Bali at the congress in 2016 last year.

This meeting, is aimed to serve as a forum to prepare the board of members meeting, which will be attended by The President and Chair of Constitutional Court of The Asian Association of Constitutional Courts and Equivalent Institutions. Because this is the 4th meeting and we have known each other very well. I do hope, that this meeting can be conducted in the more relaxed manner, and that all agenda can be discussed more comprehensively, and that this meeting can provide significant results to the development of the association, AACC.

Once again, I would like to extend our gratitude for your attendance, Ladies and Gentlemen for this meeting today and for that, allow me to begin this meeting, but first of all, let's listen to the opening remarks from The Chair of The Constitutional Court of the Republic of Indonesia, who is also the president of AACC.

I kindly invite honorable, Chair of The Constitutional Court of The Republic of Indonesia, President of AACC to deliver his opening remarks.

For Prof. Dr. Arief Hidayat, the floor is now yours.

### **3. CHIEF OF JUSTICE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA: ARIEF HIDAYAT**

Thank you, The Chair of The Meeting, Secretary General of The Constitutional Court of The Republic of Indonesia.

On God's behalf, waalaikumsalam, wr. wb. May peace and prosperity be upon you all, good greeting to you all. Distinguished Secretary Generals of The Constitutional Court or Equivalent Institutions, Country Members of AACC, who are present today, Members of Delegation, Ladies and Gentlemen. I would like to invite you all, to convey our gratitude to God almighty, most gracious, most benevolent, because once again on his grace and blessings, we are able to gather here today in good condition.

In this auspicious occasion, I would like, first of all, to bid you welcome to all The Secretary Generals and Members of Delegations, Country Members of AACC. It is an honor for me to once again be here among see you all of the delegations, and ladies and gentlemen in this opening ceremony of the Secretary General Meeting of AACC in this month of August 2017. I would like to also convey that according or in accordance to the resolutions of the congress which was held a year ago in Bali, the meetings of the AACC, the official language to be used is first English and then, second official language is Russia. As a mandate in our statute that we have taken last year and so you can see in the files that you have received, the files of the meeting, we have Bahasa Indonesia on top because Indonesia is currently the host of this meeting and then followed by the official languages, English, and Russian, which we have agreed upon.

Distinguished Secretary Generals and delegations, the AACC has entered a new chapter with the achievement of a consensus among member countries of the AACC to establish a permanent secretariat in the mid of year 2016 last August in Bali to be precise in Indonesia. This decision was taken unanimously, and the Constitutional Court of the Republic of Indonesia has the role to manage the planning and coordinating division which is based in Jakarta. Whereas the responsibilities for research and development division will be managed by the Constitutional Court of Korea. This division is based in Seoul.

In addition to that, Board of Members meeting also decided that the Turkish Constitutional Court is appointed as the central institution for the development and capacity improvement of human resources for the court members of the AACC. The permanent joint secretariat is established based on a common spirit which is to provide support and optimum support for the success of the achievement of AACC's vision, mission, and objectives as incorporated in the association's statute.

Distinguished delegates ladies and gentlemen, after the establishment of permanent secretariat of the AACC, there are number of matters that need to be discussed within the Secretary General Meeting forum as a follow-up to the establishment of the permanent secretariat of the AACC in 2106 in Bali, Indonesia which consist of first, on reporting of progress for the preparation of permanent secretariats in South Korea and Indonesia as well as Turkey to implement the resolutions or decisions that we have taken in Bali last year. Number two, on the role of the permanent secretariat to support administrative and substantial functions to the AACC. Number three, to establish a working system and working mechanism for the permanent secretariat. Number four, to establish human resources development and management system for the permanent secretariat. Number five, to develop and establish the permanent secretariat activities and programs within the upcoming year. And number six, on the mechanism of decision making for the country members of the AACC.

All of these six points, shall be discussed and decided within the meeting of the Secretary General Forum as well as other matters that are related to the chairmanship

of the AACC in the future and one addition agenda, I as the President of the AACC, I have gone through a lot of discussions with our colleagues in Africa the CCJA, the African Constitutional Court Association. There is this common spirit which is to promote the constitutional court within the AACC and the African Association, and so therefore in this forum, I would like to kindly invite the Secretary General Forum to also discuss about the possibility of making cooperation and perhaps establishing a memorandum of understanding with the African Association and the symposium will also be attended by the President of the African Association who is currently the President of CCJA.

The Secretary General from the African Association will also be present in this symposium, and so therefore if this forum, the forum of the Secretary-General, can discuss about this matter more concretely. We can then raise the resolution to the Board of Members meeting tomorrow morning. And, in this forum also the Secretary-General is expected to achieve concepts of all the points that I have conveyed in the above and therefore let us together formulize and develop all necessary and strategic measures to optimize and use the role of AACC in the future. This is very important, because in my opinion, AACC has to provide benefit not only for the members, but also for the development of knowledge and the protection of human rights, and the development of law abiding countries, which is, in Asia and in Africa. And in this forum also, the Secretary-General of Constitutional Court of Republic of Indonesia will deliver the preparation of the permanent secretariat for planning and coordinating division based in Jakarta. Those would be my opening remarks, I again bid you welcome and would like to congratulate you for this meeting. And hopefully this meeting can achieve resolution for the interest of all of us. May God almighty, most gracious most benevolent, bless our meeting today, and before I end my remark, on behalf of President of AACC, allow me to officiate this meeting, and formally open this meeting.

Thank you. Waalaikumsalam warahmatullahi wabarakatuh. May peace and prosperity be upon you.

Thank you, honorable Chief and President, for your opening remark and also for officially opening the meeting of the Secretary-General this meeting and next in the agenda, before we begin with the first session, I think it is great if we can take a group photo. So, there'll be a photo session for head of delegation. I kindly invite to come forward, so that we can have a photo session. And the photo session will also be followed by all members of delegation. Before we can proceed with our meeting. We kindly invite members of delegation and head of delegation first.

#### **4. MASTER OF CEREMONY I: RAHMAT IDRIS**

(Inaudible) of agenda may we invite for the first round of group photos, the Chief Justice alongside all Secretary-Generals and Heads of Delegates from each participating country.

May we invite Excellencies to please step up onto the stage, onto the platform of the group photo.

Onto the stage... di atas panggung, Bapak. Maybe one or two steps. Okay. One step up, please, Excellencies.

Ladies and gentlemen, to make our photo round and center, may we have all of you to take one step to your left. One step to your left now, please. And then, we'd like to ...because we'd like to have our President at the center... so we have... ok, that's good. This is good proportion. This is the formal first photo of our President of AACC and Secretary Generals.

For the second photo, Excellencies, may we have you crossing arms, crossing arms, please.

Ya... and a little closer to each other. We'd like to show our unity for this morning's meeting of Secretary Generals. On the count of three, master photographer at the center. One, two, three. One more time: one, two, three.

And for the second round of group photos inviting all delegates of participating member states of AACC. All delegates, please. If we may have some of you taking the second row of the group. Let's make a nice and balance proportion of the group. May we have one more person on the far right please.

One more. May we have yang Ibu-Ibu ... all the female ones, ladies, may we have you at the center of the second ... of the second row, please. May we have you at the center. Madam, please at the center, the two gentlemen, can we switch places, so we can have two ladies at the center? Ya. And then, one more, Sir. One more. One more, Madam? Yes. So we have all women at the center. Ya. Thank you, this is beautiful.

All right, for the formal photo, we'll do the formal pose first. On the count of three. One, two, three. One more time, one, two, three. This is it. For the final round, can we give a thumb for the Constitutional Courts of all the participating countries. On the count of three, please say, "Unity." One, two, three, "Unity." One, two, three, "Unity." A round up applause for all delegates and participants of the meeting of Secretary Generals this morning in Solo. The faces will always be remembered from the meeting. May we invite all Excellencies and delegates to step down the stairs and be seated.

Sebelum dilangsungkannya adoption of the agenda, kami mohon perhatian kepada rekan-rekan.

Before we begin with the adoption of the agenda, I would like to tell our friends from the press that this is going to be conducted in a confidential manners, so we

would like to request all of the press to exit this room and we would like to say thank you to all of you. Thank you very much.

Delegates, Ladies, and Gentlemen, before we proceed to the agenda, we shall wait for our Chief of Justice of Constitutional Court of the Republic of Indonesia for a few minutes with the press.

Delegates, Ladies, and Gentlemen, we shall now call the meeting of Secretary Generals to order. We hand over the session to to the Chairperson, Prof. Dr. Muhammad Guntur Hamzah, S.H., M.H. Please, the floor is yours.

**5. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, terima kasih. Thank you very much.

To all of the honorable Secretary Generals, Mr. Adam and also to all of the participants of the Secretary Generals Meeting that I honor. Before we talk about the agenda of today, first of all, I would like to give the opportunity to all of the delegations, to all of the Secretary Generals, to introduce yourself. And therefore, I would like to begin using the alphabetical order for the introduction session. Let us start from Indonesia. To the delegation from Indonesia, I would like to present the floor.

**6. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much and good morning. We are the Indonesian Delegations, and my name is Rubiyo. I am being accompanied, on my left is Mr. Muhammad Faiz, and on his left is Mr. Ricky, and on my right is Mr. Syarif. Thank you very much.

**7. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank for very much for the Indonesian delegations. And next, I would like to give the opportunity to the Delegations of Azerbaijan. Azerbaijan ... sorry, Kyrgyzstan. Sorry, from Kyrgyzstan, Kyrgyzstan Republic, go ahead.

**8. KYRGYZ DELEGATION: MARAT DZHAMANKULOV  
(SECRETARY GENERAL OF THE CONSTITUTIONAL CHAMBER  
OF THE SUPREME COURT OF KYRGYZ REPUBLIC)**

Good morning, everybody. My name ... because in Kyrgystan now is people are taking holiday, I am now alone. My name is Marat and I am The Chair of one of the organs in the Constitutional Court in Kyrgyzstan.

**9. KAZAKHSTAN DELEGATION: BAKYT NURMUKHANOV  
(SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF  
THE REPUBLIC OF KAZAKHSTAN)**

Good morning.

As the representative from the Constitutional Court in Kazakhstan, we are thankful for the invitation to the Indonesian Constitutional Court and also the President of the Association for the invitation. And as usual, the organization of the meeting is very well. My name is Bakyt Nurmukhanov and I am The Secretary General and we have Kuanysh Aldongarov as The Head of Personnel and Documentation Department. Thank you very much.

**10. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL  
OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF  
INDONESIA)**

And next, I would like to give the floor to the delegation from the Republic of Korea.

**11. KOREA DELEGATION: YONG HUN KIM (SECRETARY  
GENERAL OF THE CONSTITUTIONAL COURT OF KOREA  
REPUBLIC)**

My name is Yong-hun Kim. I'm from Korea. As you know, I'm the Secretary General of the Korean Constitutional Court Secretariat. And I'm very happy to see you. It's already the fifth time, that I've been in Indonesia in order to attend the meeting as AACC members, especially Indonesian authorities. We did our best, you know, to fulfill our duties as the secretariat of the research in development of AACC last year. Not, not last year, this year, but I think it's not enough for you to be satisfied. We'll do our best in order to fulfill our obligations as the PLD. I will give you the briefings about progress that we did (inaudible). And now, I'm very happy and I would like to express my thanks to all the members, especially to the Indonesian authorities to hold such a wonderful meeting, many times. Thank you very much. My assistant, is my assistant Kook Hee Lim, I think you, all of you know her very well. Its OK, skip, but it' OK. Go ahead.

**12. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much. I would like to give for the next opportunity to the Delegation from Malaysia.

**13. MALAYSIA DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR FEDERAL COURT OF MALAYSIA)**

My name is Aslam Zainuddin. I am the Deputy Chief Registrar of the Federal Court of Malaysia. And I send the greetings of the Chief Registrar who, unfortunately at the last minute, couldn't make it. If not, she would have come for this meeting. Beside me is Mr. *Aizuddin Zolkeply*, I think, who is well-known to most of you here. Thank you. We are the two of us here from Malaysia. Thank you very much.

**14. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much. And next, I would like to give the floor to the Mongolian Delegation.

**15. MONGOLIAN DELEGATION: YONDONJUGNAI UNUBORGIL (ADVISOR AT CHAIRMAN'S OFFICE OF THE CONSTITUTIONAL COURT OF MONGOLIAN REPUBLIC)**

Thank you. Good morning. My name is Unuborgil. I am Advisor of the Chairman's Office of the Constitutional Court of Mongolia. And I represent here today my Secretary General, Mr. Bayim Bilek, who could not attend this meeting, due to the annual budget state preparation work. It's my great pleasure to attend the Meeting of Secretary Generals of The Constitutional Courts, Members of The Association of Asian Constitutional Courts and Equivalent Institutions. Thank you.

**16. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much. Next, I would like to give the floor to the Delegation from Myanmar. The floor is yours.

**17. MYANMAR DELEGATION: HLA MYO (DEPUTY DIRECTOR OF CONSTITUTIONAL TRIBUNAL OF MYANMAR)**

Morning Secretary General, Ladies, and Gentlemen. Thank you for Mr. Secretary General for giving me this opportunity. My name is Mr. Hla Myo from Deputy Director of The Myanmar Constitutional Tribunal. Thank you very much.

**18. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Baik. Thank you very much and next we would like to ask The Delegation from Russia. The Honorable Delegation from Russia. Go ahead, Russia.

**19. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

Good morning, my name is Vladimir Sivitskiy dan bersama Egor Bushev. Kami adalah Kepala Sekretariat dan Pak Egor adalah Konselor dari Departemen Hubungan Internasional dan Riset dari Constitutional Review Practice.

Good Morning, my name is Vladimir Sivitskiy and with Egor Bushev. I am the Head of Secretariat and Mr. Egor is Counsellor of Department of International Relations and Research of Constitutional Review Practice.

**20. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

And next, we would like to give the floor to The Delegation from Thailand.

**21. THAILAND DELEGATION: CHAOWANA TRAIMAS (ADVISOR ON ACADEMIC OF CONSTITUTIONAL COURT OF THAILAND)**

Mr. Chairman and participants, I am Chaowana Traimas, Delegate on Behalf of The Secretary General and my work is Advisor on The Academic of Constitutional Court accompanied with my colleague, Mr. Pitaksin Sivaroot, Constitutional Court Academic Officer. Thank you.

**22. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, thank you very much and last but not least is The Delegation from Turkey. Go ahead, Sir.

**23. TURKEY DELEGATION: ABDULLAH CELIK (CHIEFRAPPORTEUR JUDGE OF CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Thank you everybody. I am Abdullah. I am Chief Rapporteur for Turkish Constitutional Court. I am responsible for the applications and I like to say thank the constitution court of Indonesia for organizing this meeting and I would like to say that I am very pleased here in this wonderful country. This is the first time that I have been in Indonesia. Thank you very much.



**24. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much. So Ladies and Gentlemen, all of the secretary generals as well as the officers representing the secretary generals who attend this secretary general meeting that we hold this morning. Next is the adoption of agenda. And let us begin this meeting by determining the agenda that we are going to discuss in today's meeting. We have prepared four agenda.

The first one is the delivery of the Secretary General of the Indonesian Constitution Court report on the preparation of the Board of Members Meeting. The second one is discussion on the development of the establishment of permanent secretariat. And the third is adoption of the minutes of the meeting. And the fourth is other matters that is considered to be necessary.

So these agenda, the four agendas are going to be discussed one by one in full during this meeting. The delivery of report on the preparation of Board of Members Meeting will be followed with the discussion on the participation of AACC in the World Conference on Constitutional Justice or WCCJ as well as the chair election mechanism. However, before we begin with the first agenda, I would like to give the floor to all of the participants – the delegations, the officers, the secretary generals, the leaders of the delegations.

When you have, if you have responses or input on the agenda that we are going to discuss in this meeting, you are welcome to do so. Is there any responses or inputs from the delegations on the agenda of today's meeting? I open the floor to all of the delegations should you have anything to be mentioned or given on the agreement of today's agenda as what I have informed in the beginning. If you have, the floor is yours.

Anybody would like to give suggestions or do we agree with the agenda that has been delivered?

Go ahead, from Malaysia. Thank you very much, Sir. I focus on the agenda that we said that we will adopt the agenda that we has presented. So can we agree with the agenda? Yes, anymore additions? It seems that there is nobody who raise additional agenda and therefore we can agree with the agenda that we are going to discuss for this meeting. And therefore we go to the first agenda.

The first agenda is the Preparation of the Board of Members Meeting. All of the distinguished Ladies and Gentlemen, as all know that the Board of Members Meeting in the past has decided that Indonesia is the caretaker of the President of the Association. So the presidency of Indonesia is added by one more year. As well as we are requested to prepare on the election of the new president for the Constitutional Courts Association for the next presidency. In this meeting, we

are going to discuss the various issues related to the preparation of this Board of Members Meeting implementation tomorrow. Including in the discussion of the preparation is the mechanism for the election of AACC President. And therefore I invite the delegation from the Republic of Indonesia Constitutional Court, as the Secretariat of the Association, to give presentation related to the preparation of the BOMM implementation. To the delegation from Indonesia, Mr. Rubiyo, I give you the floor.

**25. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

May I have the slides to be put up?

To the honorable Mr. Prof. Guntur, as the Chairman, and all of the members of the delegation that we respect.

May peace be upon us all. Good morning and good tidings to everybody. Allow us to inform you about the preparation on the implementation of Board of the Meeting and the International Symposium in 2017 that is implemented in Solo. And you can see from the slides that the implementation is conducted between August 7-11, 2017 which is implemented in the opening at the Universitas Sebelas Maret and it will be opened by the President of the Republic of Indonesia. And then, it is continued ... oh sorry, previously we have the Board of Members Meeting that is conducted on August 8 in Alila, which will discuss among others, some of the issues namely the activity of the Meetings of the Secretary Generals that we conduct today. And then the Board of Members Meeting that is conducted tomorrow and it will be located in this room. And then the International Symposium which the opening is going to be conducted in the Sebelas Maret University by the President of the Republic of Indonesia. And then the next sessions are going to be conducted at Alila Hotel. And we also have call for paper activities and the outsort program...cultural program, sorry. And for the participants as we have already showed you in the slides. Those present are for the... we have participants from Afghanistan, Azerbaijan, Indonesia, Korea, Kyrgyzstan, Kazakhstan, Malaysia, Mongolia, Myanmar, Russia, Thailand, Turkey, and Uzbekistan. Whereas the members who cannot be present in this meeting is from Pakistan, Tajikistan, and the Philippines.

And those who are invited and present in this meeting are mainly for the symposium is from the Venice Commission and of the President of CCJA from South Africa and also from the Conference of the Constitution of the Countries of New Democracy or CCCCOND from Armenia. And also are the countries such as Algeria, Benin, Cambodia, Romania, and Timor Leste.

And for the Meeting of Secretary Generals today as has been informed by the Chair of the Meeting with the agenda that has been discussed previously. And then for the Board of Members Meeting which will be conducted tomorrow on August

8<sup>th</sup>, 2017 at 10 o'clock until four-thirty in the evening. The venue is still in Hotel Alila and the participants from the President, Chief Justice, and Chairman as well as other representatives with the agenda, among others, is report and discussion on the permanent secretary establishment progress, and then the discussion on the preparation of the AACC participation in WCCJ Congress, and then the most important thing is the mechanism on the election of the new President of AACC, and also other matters.

And for the International Symposium as we have already informed you that it will be conducted on Wednesday, August 9<sup>th</sup>, and the opening is in the main hall of the Sebelas Maret University, and the plenary session will be continued in Alila Hotel with the theme of Constitutional Court as the Guardian of Ideology and Democracy in the Pluralistic Society with three sub themes: Constitutional Court and State Ideology, and the second one is Constitutional Court and the Principles of Democracy, and then the third is the Rule of Constitutional Court in Pluralistic Society.

In detail, this agenda has been prepared and has been submitted and conveyed in our invitation, namely the first session on Wednesday August 9<sup>th</sup>, which is after the opening that is conducted at Sebelas Maret University by the President of the Republic of Indonesia, and the first session is started with honorary speech from the new President of AACC who has been elected by then, and then the honorary speech from the President of CCJA, and the honorary speech from the Venice Commission.

And ... so the first session will be continued with another session with the sub theme of Constitutional Court and State Ideology with speaker ... with Chairperson from Malaysia and then speakers, among others, from Armenia, Indonesia, Mongolia, Turkey, Uzbekistan, and Russia.

And for the second session, with the sub theme of Constitutional Court and the Principles of Democracy with the Chairperson from Turkey and also speakers from Azerbaijan, Kazakhstan, Korea, Romania, Thailand, and Timor Leste. Whereas for the third session, namely on the next day, with the sub theme of Constitutional Court, Roles in Pluralistic Society with the Chairperson from Thailand and speakers, among others, from Afghanistan, Benin, Cambodia, Kyrgyzstan, Malaysia, and Myanmar. In addition to that, we have a general lecture that will be given by the President of CCJA which will be conducted at the University Sebelas Maret and it will be broadcasted through video conference and attended by university students in 42 universities all over Indonesia. And then is the cultural program that has been prepared by the committee, and which will be in Prambanan Temple, and it will be continued later with the performance of Ramayana ballet in Prambanan Temple, and also visiting the Borobudur Temple, and also attend visiting the silver art of Kotagede. And some of other activities that are interesting around Yogyakarta area.

So, that is so what we can convey for today, and thank you very much, we will give it back to The Chairman.

**26. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, thank you to Mr. Rubiyo, The Delegation from The Republic of Indonesia who has given us the presentation related to the preparation of The Board of Members Meeting, and I am sure that from the presentation there are many things that we can use for the more in-depth discussion in our discussion today.

However, before we begin further, allow me to give you some information on the important points based on the presentation of the Indonesian delegation related to the preparation of The Board of Members Meeting. And basically, if we can put it together there are six activities, that is conducted on ... starting on 7, today, until August the 12<sup>th</sup>. And, I can give some emphasis on this.

First, is that the meeting that we have today which is the meeting of secretary generals and then, tomorrow is the meeting of the Board of Members of Meeting in which in this Board of Members Meeting, we have four agendas that is ... need to be discussed. The first one, is report on the permanent secretariat whether those are reported by the Permanent Secretariat in Jakarta, Indonesia and also the one that is being reported by the Permanent Secretariat from Korea Republic which is located in Seoul. And then, maybe we well have a report on the Education Center that is in Istanbul, Turkey. And the second one, is about the preparation of this organization AACC for the activities in the World Conference on Constitutional Justice in Lithuania.

And then, the third is related to the selection of AACC president for the next period. And the fourth, is as has been informed by our chair of AACC Professor Arief Hidayat to be discussed about the possibility of the signing of MoU between AACC and CCGA.

And then, on August the 9<sup>th</sup> we will have the opening of the symposium that will be opened by The President of The Republic of Indonesia on August 9 to 10 we will have symposium, and as an addition of symposium we will also have a general lecture that will be given by the President of CCGA, and also Call For Paper activities for members of the Constitutional Courts all over Asia and also other countries that participate in this Call For Paper activity.

And then, last is the activity of on 11 of August namely The Cultural Program. So, the six activities we expect we hope that all of the participants the secretary generals can participate in all activities. And next, I'd like to request or give the floor to participants if you have any inputs, or advice before we begin with the next session

which is the presentation related to the permanent secretary. I'll open the floor for any suggestions or inputs.

Ya, saya lihat tidak ada. I don't see any inputs or objections, so we can now give the opportunity to The Korean Republic's Delegation to give presentation on the permanent secretariat that has been implemented in Korea. And then from Korea, we will give the opportunity to Indonesia, and then from Indonesia probably Turkey will take the opportunity to give presentation on the development on the permanent secretariat that has been established in Korea in Seoul in Jakarta and also in Istanbul.

So, please the floor is yours.

**27. KOREAN DELEGATION: YONG HUN KIM (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF KOREA)**

Thank you Chairman, wait a minute, we have to prepare some presentation.

**28. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Okay.

**29. KOREAN DELEGATION: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF CONSTITUTIONAL COURT OF KOREA)**

Could you please show our presentation, please, the Operators?

**30. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya.

**31. KOREAN DELEGATION: YONG HUN KIM (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF KOREA)**

A minute is okay, thank you. May I start?

**32. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, please.

**33. KOREAN DELEGATION: YONG HUN KIM (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF KOREA)**

Thank you, honorable Chairman. It seems the Justice and Secretary General and the members of institutions. Ladies and Gentlemen, it's a great pleasure to see you all again here in Solo, Indonesia. Before I start, I would like to express my sincere gratitude to Secretary General Guntur Hamzah and other honorable judges of constitutional court of Indonesia for hosting the fifth meeting of Secretary Generals. Also, I would like to congratulate the Constitutional Court of Indonesia, for successfully fulfilling the mandate as the AACC presidency. On the Excellency Leader Chief Justice Arief Hidayat, it facilitated the AACC to move forward, posing the AACC permanent body in chargeable planning and coordination.

A year has passed since the AACC historic decision to establish a permanent secretariat, and a protest has been made. As you are informed earlier, right after the decision, I was appointed to the Secretary General of the AACC Secretariat for research and development by the Constitutional Court of Korea. Since then, I have been overseeing the activities in the AACC's SRD. We currently have one Deputy Secretary General Mr. Aslam Zainuddin from Malaysia, he is here, and honorable Mr. Bakyt Nurmukhanov from Kazakstan, he's also here, Mr. Khadir Muktawaf of the Afghan, ICOIC, he's no longer served as the other Deputy Secretary General. He recently left the ICOIC for another profession of Afghan government. As the AACC SRD continues with this step will increasingly involve the Deputy Secretary Generals and advisors.

In Seoul, we have been busy doing both the set up work and substantive paper work. We have recruited a new staff, moved into a new office, and developed our secretariat working concept. We have also secured the funding providence to facilitate the involvement of the AACC's member institution. We aim to foster research and other steps from AACC member institutions at our office in Seoul and work together on research projects.

In late June, the AACC SRD called sponsor the Indonesia government of the teams of the Human Rights, rule of law, and legal culture in Seoul. Our steps engaged in dialogues and discussions with constitutional legal experts from Asia, the Americas, Africa, Europe and the Middle East. Through such activities, AACC institution can gain an even stronger voice in the global conversation on constitutionalism.

The Constitution Court of Korea, is firm to committed to AACC SRD and has added a value to AACC. Also, I need to emphasize that active participation and regular input by the AACC members are very important to achieve its objectives. This is it for my introductory remarks. Mr. Chairman, with your permission, my Staff Mrs. Kook Hee Lim will take over and give more details of our work at the AACC SRD.

**34. KOREAN DELEGATION: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF CONSTITUTIONAL COURT OF KOREA)**

Thank you very much honorable Chairman, his team Secretary Generals, and the distinguished guests from the AACC Member courts.

I'm very honored to be here today, to present to you what we're up to at the AACC Secretariat in Seoul. I'd like to give you an overview of the concept of the AACC Secretariat in Seoul, during my presentation, and I'll be mostly talking about the proposed areas of work and working methods of the secretariat.

The function of our secretariat is firmly based upon the consensus of the AACC members, achieved last year in Bali. As you can see here, according to article 22 of the amended AACC Statute, they consist of the following: planning, conducting, and coordinating during research activities among members and with third parties, conducting studies and formulation of proposals for research activities in this field of constitutional justice, publishing an international journal on the outcome of research activities conducted, constructing and managing database of profiles and key decisions of members, conducting research and development activities for the promotion of the constitutionalism and finally, organizing international conferences, seminars, and forums, at justice judges level and the research level on the system of teams chosen.

So in carrying out its mandate, the Association of Asian Constitutional Courts' SRD is said to function like a research arm of AACC focusing on comparative constitutional law in Asia and serving the research requirements of AACC members. In carrying out these activities, it will provide a platform in knowledge exchange, file the collection of comparative legal materials, conduct independent research as well as collaborate with external experts. But most importantly, the aim is to build a network of experts on comparative constitutional law within the AACC. The AACC SRD seeks to become a valuable source of knowledge sharing and to strengthen constitutionalism in Asia. If we also build and exercise convening power to facilitate AACC members to gain even stronger voice in the global conversation on constitutional governance. In terms of areas of work the Association of Asian Constitutional Courts SRD will function as a research unit, divided into three thematic groups, namely Constitutional Adjudication, Fundamental Rights, and Global Constitutionalism. Future seconded research officers will join one of the groups, depending on their background and expertise. Boundaries between the groups will remain flexible since the nature of the research teams are interrelated. As the AACC SRD grows and develops, further research areas may be added or merged.

Let me explain briefly what I mean by these three areas of work. First, Constitutional Adjudication. This area of work focuses on comparative studies of adjudication

mechanisms among the member courts. Constitutional courts and equivalent institutions across the world possess different jurisdictions differing in matters that may be taken to the court for constitutional adjudication. One key area of research would be, for example, to survey the various mechanisms of constitutional adjudication that exists across AACC members, how they design their work in practice. These may include constitutional review, impeachment, government competency disputes, the dissolution of political parties and constitutional complaints.

Second, Fundamental Rights. A second area of work concerns the fundamental rights. The focus here will be on comparative studies of how fundamental rights are protected by AACC member institutions. Objects for comparative analysis may be the text of the legal sources for the protection of fundamental rights. Another important aspect of study will be the potentially different approaches to fundamental rights protection within the respective case law of AACC members.

Thirdly, our Global Constitutionalism. The third area of work would be this, in our context, we're here referring to the adoption and application of central concept of constitutional government, such as rule of law, the separation of powers, and judicial review. Comparative studies will be conducted on key pillars of constitutional governments and values of constitutionalism from a global perspective. Studies can investigate regional and global challenges and opportunities in realizing such ideas, especially how specific constitutional principles operate in diverse constitutional and legal cultures. So, together with Constitutional Adjudication and Fundamental Rights, Global Constitutionalism forms a core component of the AACC SRD' areas of work. Further research areas may be added in the future, especially through the input and responses of the seconded AACC research officers.

Then, Research Output. The research output will include the following formats: fact files, case law collections, reports, and studies. As mentioned earlier, AACC SRD performs various research functions. One is to simply provide a platform, reflection, and accessibility of information on AACC member institutions and their respective case law. So, fact files and case law collections fulfill this function. Fact files can include a survey on the structure and jurisdictions of each AACC member institutions and their respective legal system they operate in. Fact files can also be on case law, for example, how a specific fundamental right is protected within a case law of respective AACC member courts. Also, the process of gathering key decisions of AACC members can eventually become an annually published case law collection.

Reports and studies fulfill the AACC function of independent research. This would be in that studies of the issues of the constitutional adjudication, fundamental rights, and global institutionalism. Such reports can be published and made available online for members, but also in the future be provided in hardcopy. Throughout AACC SRD works, it's staff, and researchers will actively seek the advice and



input comments from justices and researchers of AACC members, thus regularly collaborating with AACC member institutions. For examples, fact files and reports may be based upon questionnaire responses by the AACC members.

In the mandate of the AACC statute, two types of research outputs specifically mentioned, they are the journal on the research activities conducted and a database.

These two research outputs are different from what I have described in the previous slide because they are designed to be collections of the general research outputs of fact files, case law collections, studies and reports. Once a significant amount of research output has been built up key research outcomes from these research projects can be compiled and highlighted in journal, which will provide a clear overview of AACC SRD most important research within a given period of time. A database will serve as depository function, providing comprehensive access to the AACC SRD research output. The format of the database will facilitate the ease of cross referencing, thus itself serving as a tool for future research.

I must emphasize that the AACC SRD is only at the beginning and taking its first steps. It will take time to build up a substantial collection of research output. Also, we count on the support and partnership of all AACC members in this endeavor to eventually provide high quality research materials on comparative constitutional law among the AACC member courts. This research outputs will not only benefit the AACC members, but also the global debate on constitutional government.

Please be informed that my presentation is primarily based upon the AACC SRD's achievement and concept paper that was be distributed beforehand so you can always refer to it for more details.

Mr. Chairman, this is it for my presentation and please allow Secretary General Kim to continue with his closing remarks.

**35. KOREA DELEGATE: YONG HUN KIM (SECRETARY GENERAL OF CONTITUTIONAL COURT OF KOREA)**

Okay, thank you Miss Lim. To finish our presentation, let me briefly say few more words on upcoming events and ideas for closer cooperation.

It was mentioned earlier, it is to find ways for closer cooperation among the AACC members. This is especially important as we embark on this exciting new face of the AACC. For the name, it is necessary that there are clearer channels of communication between the AACC SRD and each AACC member. You know to conduct or to compare to project of high quality, it is important for our secretariat to draw on the experience and expertise of each AACC member institution. This may take the form of a questionnaire sent by the AACC SRD to the AACC members. To advance the inputs from the AACC members, we will then form the bases of the research project. The success of such undertaking depends on efficient

communication channels. I therefore suggest that each AACC institution should nominate one liaison officer who is in charge of communicating research. Crucially, this list of liaison officers and their contact details, must always be kept up-to-date. The AACC members input and participation through them will always be encouraged.

This can avoid the situation where communication and working labor, between the AACC SRD and AACC member institutions are hampered by changing personnel.

Also I would like to draw your attention again to our secondment program. Funding is available for those interested candidates to attend the complete the Master's degree program in Seoul National University. For your information, SNU is Korea's most prestigious university. As the opportunity to study there will give them extra benefits during their time in Seoul. For the option for secondment will also be available in the future, for example without the option of taking the Master's degree.

Lastly, in October this year, the secretariat for research and development will host (inaudible) justices. Invitations have already been sent out and I am looking forward to meeting you all in Seoul. You can take the opportunity between now and then to set our system of our liason officers between us. This and the other matters mention above, I look for the discussing with you in the coming days. We are open to any suggestion and ideas to facilitate informant of AACC members and the work of AACC as idea.

Thank you. Thank you very much.

**36. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

Thank you very much, Mr. Kim dan Delegasi Korea.

Thank Your Mr. Kim and The Delegation from Korea.

Next, we would like to listen to progress report of the permanent secretariat in Indonesia with regard to planning and coordination. From Indonesian representative or delegate I would like to kindly give the floor to you now to present about the progress of your work.

**37. INDONESIA DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

Thank you, please present my slides.

Distinguished chair of meeting, the head of delegation, delegates of this meeting of the Secretary Generals as previously conveyed by the Korean delegate about

the progress report of the permanent secretariat and board of members meeting conducted in the 3rd congress of AACC in Bali in the year of 2016, is important marking of our history, the history of AACC because during such meeting, we have officiated the permanent secretary of AACC, which among others, in Jakarta, that oversees the planning and coordination and then the 2nd Permanent Secretariat for Research and Development in Seoul, South Korea as well as the center for training and development of human resources based in Ankara, Turkey.

I would like to convey the progress briefly about the permanent secretariat for planning and coordination based in Jakarta. And for that, I kindly invite Mr. Muhammad Faiz to convey in detail the progress. The floor is yours, Sir.

**38. INDONESIAN DELEGATION: PAN M. FAIZ (RESEARCHER OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Participants of meeting of the secretary generals. Please, allow me to explain regarding the progress report under permanent secretariat for planning and coordination in Jakarta Indonesia.

First, the Indonesian constitutional court has prepared and secured the facilities and infrastructure for the secretariat. The difference with the secretariat in Korea, it is located in the same building of the Indonesian Constitutional Court for that moment. It is located at the ground floor. As you can see.

This the secretariat, permanent secretariat in Indonesian Constitutional Court building. If any delegates have a chance to visit Jakarta this week, we can also invite you to visit and to see the secretariat in our building.

We also have secured the legal basis for establishing the permanent secretariat in Indonesia that has been enacted. The presidential decree as the legal basis for establishing permanent secretariat including the financial support. This financial support, will be used for operational cost and coordination among secretariats including the secretariats in Korea and the center in Turkey.

We also like to explain and inform about the progress on the working activities of the permanent secretariat for planning and coordination.

First, we have created a website for permanent secretariat, which includes and consists of institutional profile of the AACC members. It will include the calendar event of any activities, especially the international event that will be held by AACC members. The website also contains the decision of publication of each member institutions. Of course for this matter, we will coordinate with the permanent secretariat in Korea to distinguish between the substance, the research and also the general information. And we will also create a digital library, it is for general information and regarding another activity that we have done is preparing the

AACC meeting which consists of technical and substantial preparations, the MSG, the Board of Members meetings, international symposiums and other international events. We also have sent invitations and confirmed the attendance of the members and other invited institutions, maintaining relations with media partners, national level and international level, and follow-ups of the MSG, the Board of Members meetings and congress outcomes that have been decided in the last meeting in Bali in 2016. All of these results have been documented and disseminated as well as uploaded onto our website.

With regard to external relationship support, we also prepare the participation of the President of the AACC in attending several international forums, including the Bureau Meeting of the World Conference of Constitutional Justice in Venice, Italy in March 2007 and also discussing the possibility of having an MoU or an agreement between the constitutional courts on jurisdictional in Africa and the AACC, the Association of Asian Constitutional Courts and Equivalent Institutions.

All of the documentations and reports have been gathered and then disseminated to all members of the AACC, we have planned several activities that will be conducted in the near future, including coordination among members concerning international agenda. Therefore, in this occasion we would like to invite all members of the AACC, if you have any event, please don't hesitate to contact us as the Permanent Secretariat for Planning and Coordination, then we will put the event in the agenda and distribute and disseminate it to all AACC members.

The other working plan is to have and set up a working level meeting among liaison officers from all members. After the MSG and the Board of Members meetings, we will have a highly intensive discussion with the members of the AACC and asking as a voluntary basis, the liaison officers that have been decided by each member, so we will have a meeting whether we will use the internet to have an effective meeting and probably if it is needed, we can meet in several activities including supports from other secretaries or the permanent secretariats in Korea and then Turkey. That in a glance, a progress report of the Permanent Secretariat for Planning and Coordination in Jakarta, Indonesia. For the closing remarks, I will give them to the Head of the Delegations, Mr. Rubiyo.

**39. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Those were the details of the progress of the activities that were made by the division of the Jakarta. The permanent secretariat in Jakarta will communicate, coordinate continuously with the permanent secretariat in Korea and in Turkey and we also invite all members to participate in conveying activities that you may have and it will be our pleasure to disseminate these activities to all members of the AACC.

The permanent secretariat in Jakarta will continuously support the elect President of the AACC, whoever, maybe for all activities that we can support in particular for planning and coordinating, and hopefully these permanent secretariats serve as the best interests of all of us and are beneficial to all of us. Thank You.

**40. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

Thank you Pak Rubiyo and Mr. Faiz for your presentations regarding the Permanent Secretariat for Planning and Coordination and I would now like to invite our colleague from Turkey to explain about the development or the progress of the center for training and education in Ankara, Turkey. The floor is yours.

**41. TURKEY DELEGATION: ABDULLAH CELIK (CHIEF RAPPORTEUR JUDGE OF CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

As you know the statute of the AACC amendments ... excuse me, as you know by the last year's amendments of the AACC statute, department secretariat is established and as a part of three functions of secretariat, Turkey is responsible of training and human resource. In this scope, Turkish Constitutional Court have organized summer school meetings for four years since 2013. The members of AACC would have opportunities to exchange their views about constitutional issues and human rights. Until this year the titles of these meetings were provision of discrimination, rights to fair trial, rights to respect of private life and last one, freedom of expression.

In this year, we will organize summer school meeting in October. The title of the meeting statute is migration law, because we can say migration is one of the strongest challenges for all nations all over the world. Thank you.

**42. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

Very well. Delegation from Turkey, for your report on the current activity for the division of training and development of human resources as part of the mandate from last year's board of meeting resolutions.

I, now, invite all delegation for any input, suggestion, improvement, that you may have, that you would like to raise, and be reported for tomorrow's meeting. But before that, I would like to note and reiterate some points. The first one from Korea. As chairman of this meeting, I would like to extend our gratitude. First, we have noted all your efforts in supporting research and development of AACC. Second, we highlighted the openness of AACC member countries to send researchers or secondment. And third, we have also noted the flexibility of work mechanism in your permanent secretariat, specifically for three units, the adjudication, the fundamental rights, and global constitutionalism. And we would like also to extend appreciation for the establishment of database for the AACC country members. And we have

also noted suggestion from head of delegates that the member countries have to appoint a liaison officer from each member country to support communication. As for the Indonesian permanent secretariat, we have noted several things. The first one is the provision of the building or office provided for the secretariat which will serve as the office of the permanent secretariat, we have also noted support from the government of the Republic of Indonesia. Because with the issuance of the legal bases, taking the form of presidential decree, this serves as legal support or the legal basis for this permanent secretariat. And we have also noted invitation from this permanent secretariat to share various activities that may be held by all member countries, as also conveyed by our Korean colleague.

From Turkey, thank you as well for the center of training and development of the Human Resources in Turkey, for establishing various activities, particularly the summer school. And this summer school has been running for several years, and another one will be conducted in October 2017 for taking the title of Migration Law. You have also conveyed invitation to all members countries to participate in the summer school meeting in October 2017, as well as the other initiatives for Training and Development of Human Resources.

I thank you for the points that you have conveyed from the three permanent secretariats from three countries. I would now like to invite the delegates for any input, suggestions, and review.

We still have thirty minutes from now before 12.00 o'clock or noon before we have a break. And for that, I welcome you all.

Any suggestions, comments, input, perhaps? I do not see any. From Turkey, go ahead, the floor is yours.

**43. TURKEY DELEGATION: ABDULLAH CELIK (CHIEF RAPPORTEUR JUDGE OF CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

For school meeting we will provide Russian translation. I give this information.

**44. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

As additional information that in summer school meeting, there will be simultaneous translation for Russian. Thank you, Turkey.

Any other input? From Russia.

**45. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

(Incomprehensible because it is delivered in Russian).

I suggest that information can be disseminated electronically or digitally through the website or the internet, so that we can obtain this information quickly.

**46. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Because the translation was cut of a little bit in the middle, I kindly request the delegate from Russia to repeat his point. We apologize but please.

**47. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

So, not only meeting once a year, but there has to be more opportunities for member countries, especially with the support of permanent secretariats to disseminate information directly to member countries, to all members of the association, so that the report from the Research and Development, for example, can be used for our activities as well.

**48. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, there was an input or suggestion from our Russian colleague, so that the information can be disseminated not only in meeting once a year, but every time. That is an update from a member of AACC, the Permanent Secretariat can help with the dissemination of this information to all member countries. This is a very good input for both or all three secretariat Indonesia, South Korea and Turkey.

And in this regard, I am also seeing the need for an updated information, I would like to suggest member countries to appoint a liaison officer, one liaison officer or more, to coordinate with the Permanent Secretariat in Korea, in Jakarta, and in Turkey, overseeing the training and development of human resources. This is to, again, reiterate the need for communication and also the request from Russian delegate.

Any other input? Is there additional input or additional information that you would like to share from Korea or Indonesia?

**49. KOREA DELEGATION: YONG HUN KIM (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF KOREA REPUBLIC)**

We also, as you know, sent already, use a letter twice, and we exchanged our ideas on 09 several times, I think. And many times my assistant gave a call to you, members of institutions, many times. And above all, I think the annual meeting is very important for institution, to exchange our ideas for the cooperation of institutions. Good idea, I think.

**50. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, baik, terima kasih, dari Rusia. Selanjutnya dari Indonesia, mungkin ada mau tambahan?

From Indonesia, would you like to add information?

**51. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman. We also welcome the suggestion from Russia, the suggestion on enabling this dissemination of information to all member countries. And we also hope that there will be liaison officers appointed or assigned. And further on, we will continuously compile all our agenda and activities, and disseminate these activities or agenda to all member countries. Thank you.

**52. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Indonesia. If there's any... Mongolia?

**53. MONGOLIA DELEGATION: YONDONJUGNAI UNUBORGIL (ADVISOR AT CHAIRMAN'S OFFICE OF CONSTITUTIONAL COURT OF MONGOLIA)**

Two years ago in Jakarta, we talked about the establishment or the implementation of permanent secretariat. Two years ago we discussed about the location for this permanent secretariat, and also we talked about a joint secretariat. And today, we have heard the actual activities taking place by all three secretariats.

I would like to, therefore, convey my gratitude. I'm very happy to hear information from Indonesia, Turkey, and Korea for all the great work that you have done. And also, thank the support from other countries, from your government. They have also offered various initiatives, like Korea, for example. Korea has offered just now for



us to participate to learn in the University of Seoul. I think this is very good. I would like to thank our Korean colleague for that, and also thank everyone.

Thank you, Mongolia. Kazakhstan.

**54. KAZAKHSTAN DELEGATION: BAKYT NURMUKHANOV  
(SECRETARY GENERAL OF THE CONSTITUTIONAL COUNCIL  
OF THE REPUBLIC OF KAZAKHSTAN)**

Just a brief additional information with regard to the appointment of liaison officer from each member of AACC. This LO ... the detail of the contacts, name and email, should also be made available on the website so that anytime member of AACC and would like to connect to other member and they can connect through this liaison officer.

I have visited the website and I could not find the resolution of the meeting that took place in Bali and translated in Russian language and because we have decided that Russian is the second official language or also the official language, the main documents made available on the website should also be translated in Russian. Thank you.

**55. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY  
GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIAN  
REPUBLIC)**

Thank you, Kazakhstan, for your suggestion and input. From other delegations, who would like to convey their inputs or suggestions? I do not see any hands raised. Is there any response that Indonesia and Korea would like to make made by our colleague from Kazakhstan and Mongolia in particular with regard to the translation request. Perhaps Indonesia, or Korea, or Turkey would like to make response to this comment? Atau sudah cukup saja sebagai masukan? There is no more for any input with note the request from Mongolia.

From Indonesia, is there any other input?

**56. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC  
RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE  
CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman. We would like to extend our appreciation to the suggestions from Mongolia and Kazakhstan. This will be something that we will take note to improve our work in the permanent secretariat in Jakarta, especially for the availability of Bali meeting resolution to be translated into Russian language. Thank you.

**57. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIAN REPUBLIC)**

The suggestion has been noted and responded. Jakarta has conveyed that they have noted the suggestion from Mongolia and Kazakhstan and they will improve the work for both the permanent secretariat and the official language of the AACC is indeed English and Russian. But if we refer to Article 5 of the AACC statute for it is stated that and governed that official activities is to be delivered in English. However, as our Indonesian colleagues has conveyed they will try to make available translations of the documents in Russian. This is a very good input that we will take note and pay attention to in the future. If there is no more input or comment, we will now move on to the next agenda.

Report on the participation of AACC in WCCJ - the World Conference of Constitutional Justice. I would like to hand the floor to the delegates from Indonesia to convey their report about their participation of AACC in World Conference of Constitutional Justice or WCCJ. The floor is yours.

**58. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman.

I would like to convey the report on the participation of AACC in World Conference of Constitutional Justice or WCCJ. The first is the fact that from 11-14 September 2017. There will be the Fourth Congress of the World Conference Constitutional Justice to be taken in the Republic of Lithuania entitled the Rule of Law and Constitutional Justice in the modern world.

The second point I would like to convey is that based on the Resolution of the Board of Meeting last year, which was held in Nusa Dua, Bali in 2016, we have decided on a number of things as follows: the speaker to represent AACC is South Korea or Korea, and the moderator, Azerbaijan, will represent AACC. As for the rapporteur to represent AACC is the Constitutional Court of Indonesia. From Indonesia and Azerbaijan, they have provided the names to participate in the WCCJ. We are now currently waiting for the names of participants from Korea.

Furthermore, AACC will be given one session, one separate session, at the WCCJ to discuss about the internal needs of AACC. I believe this can be used to discuss matters like the formulation or establishment of or the refinement of permanent secretariat, the preparation of the next congress or any other matters that deem important for the AACC to be discussed at the WCCJ. In addition to that, there will be a meeting for AACC country members and the CCJA (the Conference of Constitutional Jurisdiction of Africa) to sign an MOU or if the MOU is to be signed

here in Solo at this time, then meeting with the CCJA can discuss about other technical matters that we can define later on. WCCJ is also considering to add one member based on continental membership. Therefore, they should be a candidate from AACC to sit in the bureau. We do not have a candidate to sit in the congress for 2020 Congress. And, if there is any member from AACC interested to be the host for the next congress of WCCJ, we welcome that to be raised in the WCCJ Meeting.

Thank you, Mr. Chairman.

**59. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF INDONESIAN REPUBLIC)**

Thank you Indonesia for reporting. This is just information. Certainly tomorrow there will be a more comprehensive report on the participation of AACC in WCCJ. Is there any input as mentioned by Mr. Rubi, that based on the resolution of the Board of Meetings conducted last year in Bali? It was decided that the speaker to represent AACC in WCCJ Forum is South Korea to act as speaker or presenter, and the moderator is Azerbaijan, and rapporteur is Indonesia.

The names of these roles have been noted, but we are still waiting for the names from Korea, the speaker from Korea, so that we can compile all the names. The second point that I think is also important is the fact that in 2020 there will be the WCCJ Congress.

That is an opportunity for member of AACC to act as host or to serve as the venue for the Congress of WCCJ in 2020 if there is an interested member for that. Tomorrow morning there will be detailed information about this is well at that Board of Meeting.

Is there any other input? Korea?

**60. KOREA DELEGATE: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF CONTITUTIONAL COURT OF KOREA)**

In regard to the role of the keynote speaker of the first session of WCCJ, I think we can give you the name to represent the Constitutional Court of Korea in the AACC. His name is Mr. Kim Yi-su, acting President of the Constitutional Court of Korea. He's still waiting for his confirmation hearing to be completed. Thank you.

**61. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

Thank you, Korea, the acting President for the Constitutional Court, Kim Yi-su.

The second issue regarding the WCCJ whether there is any interest from members of AACC to be the host the congress of the WCCJ as well as other matters that need to be raised during the WCCJ upcoming meeting. Is there any input for that? From Malaysia? Pak Aslam the floor is yours.

**62. MALAYSIA DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR FEDERAL COURT OF MALAYSIA)**

I don't have anything to add to the point from Malaysia, but we are pleased with the participation of AACC in the World Conference Constitutional Justice Meeting and I will request our Chief of Justice and we are considering to make individual attendance to the WCCJ conference. Malaysia is a member of the WCCJ – individual member – Malaysia itself is a member of WCCJ.

**63. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

Is there any other input that anyone would like to raise from the Secretary General or any other delegation? From Kazakhstan.

**64. KAZAKHSTAN DELEGATION: BAKYT NURMUKHANOV (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF KAZAKHSTAN)**

From... Commission President of Constitutional Council of Kazakhstan, Mr. Igor Rogov, nominated as a rapporteur for the first session with the topic of different conceptions of rule of law, the keynote speaker acting President of Constitutional Court of Korea. We have already received the draft of his speech and are waiting speech of Vice President of the Constitutional Court of Egypt, Mr. Rostar summary. This third session and the discussion to be held and give a presentation for ten minutes in the closing ceremony of the congress.

**65. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

Thank you, Delegate from Kazakhstan for your information. Any other input from other delegates? From Kyrgyzstan and then from Russia.

**66. KYRGYZ DELEGATION: MARAT DZHAMANKULOV (SECRETARY GENERAL OF THE CONSTITUTIONAL CHAMBER OF THE SUPREME COURT OF KYRGYZ REPUBLIC)**

Kazakhstan is going to participate in the third world congress in Lithuania and we are also going to be present there. And it will be Mr. Issenberg, the Chief of the Constitutional Court himself and also Mardam Irgo is going to attend the world congress.

**67. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

So, we have already obtained information from Kyrgyzstan that they are going to be present to represent their own country and also Kazakhstan is going to be there to represent the country whereas those who are going to represent AACC as per ... South Korea they are going to be there and Azerbaijan as a moderator and a rapporteur from Indonesia ... and also each of the countries as the member of the world's conference is going to attend namely from Malaysia, Kazakhstan, and Kyrgyzstan.

Okay, so thank you very much for your information and next we are going to open the floor to the delegation from Russia.

**68. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

I would like to inform you that tomorrow the Russian delegation is going to give information to the members of the association on the issue that is faced by Russian delegation in this world congress in Lithuania. Because the position of The Lithuanian Government against us. And the details of the information is going to be presented tomorrow. So, the information that has been given by the Russian delegation in relation to the event that is going to be held in Lithuania namely the world conference on Constitution Justice.

**69. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

We have already listened to all of the information related to second agenda namely the World Conference and next, we are going to do the third agenda namely the mechanism of selection as well as the preparation on the selection of the next AACC president, but because it's almost lunch time with almost midday we are going to break, is there any more input? Go ahead Indonesia.

**70. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, as we have given you the report there is something that needs to be discussed, do we need to add one more representation based on the continents so you need to have one country from Asia, to sit in the ACGG and maybe we can discuss this in the BoMM tomorrow or today or maybe it's going to be discussed in Lithuania. I need input on this.

Okay, there is one thing that Indonesian delegation is going to convey to us, maybe we can discuss this in tomorrow's BoMM.

So, I would like to welcome Mr. Rauf Guliyev the Secretary General from the Republic of Azerbaijan. Welcome to Indonesia.

**71. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So because based on our schedule, we are going to have lunch break at 12.00 WIB and now it's exactly 12.00 WIB, and of course we can have a lunch break first, and we can have lunch and other things that we need to do, and then later we are going to this room at 14.00 WIB. Can it be concurred by everybody?

So if you have any inputs, Russia, go ahead.

**72. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

This is not a question, but this is a proposal on the organization.

**73. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Maybe, we can cut short the break, so we can finish all day's agenda and we have earlier break, and thus we have enough time to prepare the result of this meeting in written form. So we won't be rushed. So, I think the bigger break should be later in the afternoon, after we have the written result.

Okay, so there is a proposal that we can continue on and then we break after all the aspects have been finished. But, maybe if there is any more responses to this from the other delegation based on the proposal from Russia and maybe we can continue until we break, until finish or what? But at present, are we going to continue or what?

Or maybe, is there any or maybe we can break until 12.00 WIB, but the break should be only until 13.30 WIB, and we come back again to this room.

Do we break first or what? Okay, because we don't have any more objections maybe we can propose that we break at 12.00 WIB and go back again at 13.30 WIB, so we have thirty minute time spare for us to deal in amending issues that need to be completed. I think that would be a best proposal. If you have any more inputs? I don't see any more interruptions or feedbacks, and thus we adjourn this meeting for one and a half hours, that's one hour thirty minutes, and we'll be back to this room

at 13.30 WIB. Can we agree on this? Okay, we have a break, we adjourn till 13.30 WIB. May God's blessing be with us all.

**74. MASTER OF CEREMONY I: RAHMAT IDRIS**

Delegates, Ladies and Gentlemen. We are now inviting you to enjoy your lunch which we have next door, on the other side of this conference room, and as mentioned by the Chair earlier we shall take a ninety-minute break for lunch and reconvene at 09.30 PM for the continuation of today's agenda. Delegates, Ladies and Gentlemen, have a wonderful lunch time.

**75. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much to the MC, to the Secretary Generals and also all of the delegations that I respect, we open the meeting and continue, and before we break, we have finished two important agenda. The first one is related to the report on the development of permanent Secretariat, and then we also have the information of the AACC in the WCCJA. And for this occasion, we still have two more agenda that we need to discuss.

The first one is about the discussion of the AACC President for the next period, and then the information on explanation or discussion about the plan on the signing of MoU between AACC and CCJA. And therefore, the first agenda on the second session is discussion of the preparation on the election of the President of AACC for the next term, and, maybe for all of the delegations, and if you have any inputs, and also I would like to inform some issues related to the plan of the election for the election of the presidency of the next session, if we have probably someone who would like to inform the proposal, we open the floor. Is there any input from the Secretary General? Please, if you have.

So, I would like to repeat once again, that in accordance to what I have informed you, at present we are about to have the selection of the president for the next term, but I would like to inform you and assure you, that with the three permanent Secretariats of this AACC and equivalent institutions, whoever it is that is going to be selected, the Secretariat will give full support to all of the activities that are being implemented. And, therefore, I'd like to offer the position of the presidency to the members that are present in this forum. So, if you have any opinions, or willingness, or proposal on which country that we can agree and we can propose, and of course, to the Chairs of the constitution that are going to meet tomorrow at the Board of meeting, and this will help them in considering and also agreeing on who is going to be the next president of the AACC. So, there is any suggestion, view, go ahead.

I don't see any intervention, so maybe, we are going to listen from each of the delegations, in regard to this selection. So, I'm going to give the opportunity through

the alphabetical order for them to give inputs on how we can know and we see the candidate for the next AACC president. I can probably ask from the delegate from the Republic of Azerbaijan.

**76. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

It is a little bit difficult question concerning making any kind of proposal in this regards because it will depend on the possibilities and some other practical points concerning with them, and let's say so, practical possibilities of any court and for me it is a little bit difficult to substitute for any kind of meeting that can be held by the president and to raise this questions themselves. Thank you.

**77. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Okay, so delegation from Azerbaijan, thank you for your input, and next we would like to ask from the Indonesian delegation.

**78. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

Thank you chairman for the opportunity to give maybe a proposal or consideration because actually in this selection is going to be decided in the Board of Members Meeting, but may be in this occasion is to give some inputs to everybody on how we do the selection of the chair. Indonesia, in principle, is going to support any country that has got the willingness and the commitment to become the President of AACC, and the changes of the leadership in the AACC is also to give more ownership and also sense of belonging and also to create continuance on the organization itself.

So as the chairman has said that whoever, which country that is going to be selected to become AACC President and in its dispensing of the obligation probably will have less burden because we have the permanent secretariat being founded and thus the secretariat can assist especially in the terms of the planning and also organizing of the permanent secretariat whether it's in Indonesia, Jakarta, or somewhere else and also in term of the development of research by the Permanent Secretariat in Soul and also for the human resources training in Turkey.

And therefore, Indonesia really support if there is any country who has willingly nominated themselves to become the president of AACC in the future. And we are also grateful if we have volunteers who want be ... if we have more than one volunteers to become the president, then we would propose this it can be decided through a mutual agreement and we don't really have to go through voting procedure. However, if it is more than one country that is willing to be the AACC



president, then Indonesia proposes that the said candidate can be selected as the AACC president for two or three next periods in sequence.

And then if there is no country that proposes themselves to be the AACC presidential candidate, then to maintain the continuity and also equal opportunity to become the AACC president, we propose that we can make a presidential election mechanism through a rotation system based on alphabetical order for rotation. And therefore each country will have the opportunity and also the mutual responsibility in expanding and organizing the Association AACC, except if there is an important reason so that they cannot be reelected as the president of AACC. And this become a permanent solution that can be continued for AACC as a mechanism to break a deadlock in the changing of the presidency in the future. And maybe that is some of the views or proposals from us and that it can be used to promote sharing of opinions in this selection of AACC president not only now but also in the future.

**79. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very from the Indonesian Delegation. I will continue. I would like to give the opportunity to The Delegation from Kazakhstan.

**80. KAZAKHSTAN DELEGATION: BAKYT NURMUKHANOV (SECRETARY GENERAL OF THE CONSTITUTIONAL COUNCIL OF THE REPUBLIC OF KAZAKHSTAN)**

Kami dari Kazakhstan. We from Kazakhstan, are ready to support all of candidates that have been proposed, as far as I know, in the meeting in Bali, we request Malaysian Delegation to become the next president. And at that time, Mr. Zakaria needed time to discuss about this issue with Malaysian Government, and we want that our Malaysian Colleagues to give an answer from all of discussion that they have been done so far.

**81. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very to Kazakhstan Delegation. Next is the Korean Delegation.

**82. KOREAN DELEGATION: YONG HUN KIM (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF KOREA)**

Let me translate for Mr. Kim. The Constitutional Court of Korea is ready and willing to support, whoever the candidate is for the next presidency as the permanent secretary of research and development.

Currently, we are using... under the current system the candidates are proposed on the voluntary basis, but we also support the system proposed by the Indonesian

Court. We may consider doing it... holding the presidency in alphabetical order, thank you.

Let me add one more thing, of course, The Constitutional Court of Korea is very willing to help resolving this deadlock of the presidency, but as we know The Constitutional Court of Korea does not have president at the moment. We have one acting president, but he is still in the last phase of the confirmation hearing. So, we are sorry and it is a pity for us, not to be able to express our interest in solving this problem.

What we can promise, is that we will support Malaysia if you express your willingness to be the next president, also Russia if you express your willingness to be the next president or the other members as well. We will do our best to assist you ... that regard. Thank you.

**83. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Baik, terima kasih. Thank you very much, for The Delegation from Korea for all of your explanation, and we would like to ask the delegation from the Kyrgyz Republic to give some inputs.

**84. KYRGYZ REPUBLIC DELEGATION: MARAT DZHAMANKULOV (SECRETARY GENERAL OF CONSTITUTIONAL CHAMBER OF THE SUPREME COURT OF KYRGYZ REPUBLIC)**

Thank you very much for the opportunity, that has been given and I have already introduced myself, and because we have already received the materials, I also would like to hope that from the organization, to give correction because in our delegation there is only one person, which is me. And, it is coincidentally that in the participant list, of all the people who are attending here, we have the last year participants instead of me because I have just been appointed as the secretary general, by June this year. And, therefore, I can inform you that this is my first personal experience to attend to and I would also like to support our colleagues who are going to propose or nominate themselves to become the president of the association.

And in regards to this, until now there is no initiative that has been proposed by the delegations, maybe we can try to create a selection mechanism in which we are taking turns, so the delegation from the Kyrgyzstan, we apologize that we haven't written the correct names and the list of participants and we will amend the name of the Kyrgyzstan Secretary General in the minutes of meetings. We will make sure that the name is already the same as the Kyrgyzstan Secretary General's. And, we also would like to give the opportunity to the Malaysian delegations. Go ahead, Malaysia.

**85. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Thank you very much. We think that a lot of people are nominating Malaysia and if it is true then we will give you more information later. We need to hear from other people first.

**86. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, yes, thank you, so Malaysia would like to hear from other delegations before giving additional information. Next is, the delegations from Mongolia.

**87. MONGOLIAN DELEGATION: YONDONJUGNAI UNUBORGIL (ADVISOR AT CHAIRMAN'S OFFICE OF THE CONSTITUTIONAL COURT OF MONGOLIA)**

We are going to support all of the countries that are going to propose themselves or being proposed to become the President of the Association and this status, the authority, as well as the obligations, will be taken by one country which will later have the highest position in this organization and therefore if there is no country who would like to propose themselves for this nomination, then I am going to support the proposal from Indonesia so that we can create a selection mechanism, so that we can be informed from the beginning, like for example Malaysia, can propose their nomination for the president of the association. Thank you very much.

**88. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much to the Mongolian delegations. And next, I would like to give the opportunity to the Myanmar delegations.

**89. MYANMAR DELEGATION: HLA MYO (DEPUTY DIRECTOR OF THE CONSTITUTIONAL TRIBUNAL OF MYANMAR)**

Thank you Chairman for the opportunity. We will truly support whoever becomes the new term president of the AACC. Thank you very much.

**90. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you very much to the Myanmar delegations and next we are going to give the opportunity to the Russian delegations, delegations from Russia.

**91. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

To my honorable colleagues, I can say that our delegation has the instructions to support any candidate for the position of the president of this association and we will be glad to support Malaysia if they are willing to become the next president. In terms of the idea on changing the election of presidency to become alphabetical order, I don't really support this idea because I don't think it can make someone be more effective as a president unless you are willing to do it yourself. So, I think everybody has to have the opportunity to become a president so they can have or they can do an effective work.

However, what I would like to underline is that we are grateful for the cooperation that we have done so far in the last three years and there are many many things that have been done by Indonesia as the president of this association. This association has risen to a level where it is expanding very fast, so I don't really think that you need to have a president for this association. So the journey of this association is using this permanent secretariat instrument. And from this view, the function of the president actually can be or can as a function to organize a congress to promote future activities we can use other instruments. And if this happens, nobody wants to become the president, then the association on this level, I don't think it's going to be something that will be lethal for this association.

How can we talk about this solution to the congress with the members of this association for the next two years. If there is something that is being organized, or related to the anniversary of Constitutional Court, maybe, well... theoretically the congress can be put together within the dates to the countries that is celebrating the anniversary of Constitutional Court in their countries. It's going to be more economical, and it will be more... you will have better compromise on the variety.

And I also would like to propose, to have one variation being considered, it is not the presidency through alphabetical order if there is nobody who is willing to propose themselves as the president. However, the function of the president is given to one of the countries that is the holder of permanent secretariat.

Now we have three countries who have voluntarily become the permanent secretariat. In bearing the specific obligation, and in this step and in this level we don't really need to ask the Indonesia to extend their presidential function. But at the same time Korea and Turkey, who are also leading a permanent secretariat in a critical situation like this. If there is nobody who wants to become the president for the next period, then we can use another variation to become the next president. If it is already been discussed. So, thank you very much for your attention.

**92. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Very good. That's a very good proposal and also very good information from the Russian delegation. And next is the explanation or input from the delegation from Turkey. So, I would like to give the floor. Go ahead, Turkey.

**93. TURKISH DELEGATION: ABDULAH CELIK (CHIEF RAPPORTEUR JUDGE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Thank you. Korea, Turkey, and Indonesia under two presidency of the AACC, it will be a pleasure to support others, any countries, for example Indonesia or Russia for presidency. If any country doesn't want to become candidates, alphabetic quotation can be a solution. Thank you.

**94. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, we have heard the proposal from Turkey as well. Thank you very much to all of the Secretary-Generals, to all of the delegations. We have listened to all of the inputs, and I am going to give this back to Malaysia who wants to listen to all of them. And Malaysia have already listened to the responses from all of the countries. And we would like to ask Malaysia for their responses.

**95. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Thank you very much. I think for Malaysia. We are very interested in what is mentioned by the delegation of Indonesia that propose to have some ways to nominate the new president. The first one is through lottery and if the country agrees to become the president, that is one way. And then, the second is based on the location of the country. We understand that Indonesia and South East Asia will become the president for this organization and maybe we can have some other people who become second candidate, probably from Central Asia or from Far East, as long as within Asia. And then, the third one that's being proposed is through alphabetical order.

But I am also interested in one being mentioned by our brother from Russia. They said that probably we don't need to have a president for this association, they propose two (alternatives), namely you give it to the country that has government secretariate, such as Indonesia, Korea, and Turkey. But, we can also think about having a joint presidency. So, two or three countries can become a joint president for this association. But, eventhough, from the position of Malaysia, I think the best way is to have my Chief Justice to express this in the Boards of Meeting (BOM)

tomorrow. I hope that he can express his position, but the discussion that we have with Mr. Guntur Hamzah is okay, but I think, it will be better if my Chief Justice is the one who can inform you about this. And, like it or not, we will try to talk about how the proposal from Russia is a very good proposal.

**96. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

Yes, thank you very much Mr. Aslam Zainuddin from Malaysia for explaining about the position of Malaysia and officially we will see the proposal and also the stance of Malaysia that is going to be provided by the Chief Justice of the Constitutional Courts of Malaysia. And we have some methodology that we talked about. At least, we have three ways to know about the next president for this AACC.

So, the first one, I would like to underline the thought from Indonesia who wants to have the sense of ownership and the sense of belonging which is very important for our organization in the future. And then, that each delegation supports whoever that is going to be elected as the president. And there is also an additional support from the Permanent Secretariate, whether it is from Jakarta, Seoul, or Ankara. And we also have some scenario, Indonesia proposes three scenarios and Russia also gave us some choices, and also Malaysia gave us some choices, and I noted that there are at least five ways for us to determine the next president.

The first one is, to propose voluntarily. Russian's proposal is to have whoever it is that becomes a president to nominate themselves voluntarily. So, I think this is the best opportunity. If there is nobody who is proposing themselves voluntarily, then we can have the next choice, namely, to determine based on the region. So, making the region, you have South East Asia, Central Asia, and Far East Asia, or maybe we can change from one region to another region. And this is also one way.

And then, the third way is through alphabetical order rotation. So, we see from the aspect of the names, eventhough this proposal is not supported by Russia because according to Russia, this alphabetical order can be not effective. And it should be voluntarily basis. That is the position of Russia. And, the fourth is that because this organization has already got a permanent secretariat in two countries, where we have two permanent secretariats and one training and research center, then I think you can also take the opportunity to become or to organize all activities from the AACC members. And, this will make all activities conducted smoothly.

In another word, from what I get from Russia, even without the president then this organization can go on well, even though maybe there are many countries ... other countries, who want to have a president. And then, we also can have joint presidency, and this joint presidency maybe we can determine people related to the permanent secretariat, so all of the activities and programs of the AACC can be conducted well.

I think, from what I get, based on the explanation and proposal from the delegations is like that, although I also note down some countries such as Kazakhstan, Russia, have already requested Malaysia to probably be willing to become the next president. However, Pak Aslan and I has already said that everything will be revealed later. Whether they are ready or not, willing or not, is going to be directly informed by The Chief Justice of The Constitutional Court of Malaysia.

So, I think that's our preparation. We have already found some ways, that we can use as a report for the preparation of this secretariat general meeting to the board of directors meeting, and it can be given as a proposal. And we hope that, the chief the presidents of the constitutional court organizations of our area, you probably will have more information about this, but we as the supporting system of this AACC organization can also propose five ways because we haven't got any country members, the representatives from the secretary general who has firmly said, that they are going to take over the presidency later. And this means that we are going to give the information later, and we will see tomorrow how The Chief Justice, will settle this issue by giving them a method to obtain the name of the chief. If you have any more input or addition from the delegation from the secretary general, any input that we need to record. From Azerbaijan, please, Pak Rauf.

**97. AZERBAIJAN DELEGATION: RAUF GULIYEF (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

Saya hanya ingin mengusulkan untuk memasukkan ke dalam agenda rapat pertemuan besok di rapat BOM, sebuah isu tentang kontribusi finansial dari negara-negara anggota untuk acara-acara kongres atau pertemuan atau rapat-rapat seperti ini. Karena mustahil untuk menunjuk sebuah negara sebagai presiden tanpa ada kejelasan tentang kontribusi finansial seperti ini dan bagaimana kontribusi finansial ini disampaikan oleh setiap negara anggota.

Dan contohnya saja, saya ingin menyampaikan praktik dan pengalaman yang saya miliki dari Asosiasi Mahkamah Konstitusi di Eropa seperti Turki, Republik Federasi Rusia, dan negara anggota lainnya yang menjadi anggota di Asosiasi Eropa ini. Dan memang untuk kepresidenan atau kepemimpinan dari asosiasi ini, seperti rapat yang diadakan di bulan Juni, kalau tidak Juli, di Georgia, di Batumi, dan juga dihadiri oleh delegasi Indonesia pada saat itu.

Nah, sistem yang digunakan di sana ... di asosiasi sana adalah setiap negara anggota memiliki kontribusi finansial untuk digunakan sebagai pembelanjaan atau biaya untuk rapat-rapat seperti ini. Dan kontribusi ini tentunya meringankan beban yang harus diemban oleh presiden atau siapa pun yang mengetuai asosiasi.

I just want to propose that we put on the agenda of the BOM meeting tomorrow, an issue about the financial contributions from member countries for conferences or meetings like this. It is unacceptable to designate a country as president without

any clarity about such financial contributions and how this financial contribution is fulfilled by each member country.

And for example, I would like to share the practices and experience I've got from members of the Association of the Constitutional Courts in Europe such as Turkey, the Republic of the Russian Federation and other members of this European association. And indeed, for the presidency or chairmanship of this association, such as the meeting held in June—if not July—in Batumi, Georgia, which was also attended by the Indonesian delegation at that time, well, the system used in the association there is every member country has to make financial contributions to be used as expenditure or cost for such meetings. And these contributions will certainly help with the financial burden that must be assumed by the president or whoever chairs the association. At the same time, this will simplify the election of the president. If the problems of a presidential election are known, then this will automatically be solved.

The organizational issues and so on the presidency counter will be released from the financial burden of the financial expenses that is the main topic, I guess. Therefore, I will propose Mr. Chairman, if we come back to this issue again and to use the experience of the European Conference of Constitutional Court that is functioning for more than forty years and has a good experience in this regard. And as a resolve this issue we will not get a problem of the election of the presidency. And to this kind of appointment of any kind of member state will be escaped and avoided. That is my proposal.

**98. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Very well, thank you, delegation from Azerbaijan, Mr. Rauf. We listen to your proposal about coming back to the issue of this president-ship or presidency. Before that, we should as proposed go back to the issue of financial contribution from each member country with the certainty of contribution of each member countries will certainly ease the process of electing the next president for the AACC.

To my knowledge, we have discussed this in the congress in Bali, but if I am not mistaken there were a number of delegations that were not in the position to discuss about financial contribution. However, since now we are in a different meeting, I would like to put this out to the member countries whether we want to discuss or open discussion about financial contribution. Or shall we just remain that issue to the president of the AACC for the holding of the congress or holding of the meeting. As for other expenses such as attending expenses or attended expenses shall be borne by each member countries. I would like to invite any input or suggestion regarding the proposal from Azerbaijan whether we are going to open discussion about the financial contribution. The floor I open for any input. Malaysia?



**99. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Thank you, Sir. I think Malaysia agree to what is proposed by the delegation from Azerbaijan Mr. Rauf about the financial contribution issue that needs to be revisited and needs to be decided because I believe this is the main reason why the member countries are hesitant to act as president of AACC.

This hesitation comes from the fact they will have to bear the financial expenses. That is why it is a good idea to revisit the discussion and to decide before we are going to proceed with electing the new president. I think this a good practice as well to pursue because under other association there is always a financial contribution delivered or presented by member countries for these expenses. I think these two issues are probably worthwhile to be decided because this is inter-related to one another.

**100. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Mr. Aslam, delegation from Malaysia. He conveyed that they have and they are in the opinion to revisit the idea as well. Russia?

**101. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

I am not sure that everything that is correct is everything that is right to do or to be done. I am afraid that if we are to collect contribution we can halt the progress of this association. Because out of the 16 delegations there are only 11 countries represented in this meeting. So I am not sure whether this is a result of financial issue or not. But I do believe there is a correlation between the attendance and contribution. But if we are going to make contribution an obligation, I am in the opinion that not all member countries can contribute.

Therefore, perhaps some member countries will opt to go out of the association. Because I believe not all member countries can contribute financially. Russia, for example, I need to take this to my superior or to further discuss within our government. Having said that I do believe that there will be more hesitation from the member countries to join this association and perhaps even be a member of this association. I do believe that we probably best for us to choose a less correct way but a more appropriate way for us now.

**102. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you delegation from Russia for your suggestions and inputs. Which in principle, he is not in the position of approving or disapproving to talk about financial contribution. He conveyed that not everything this is correct is right or proper for us at this moment. I agree to that statement. More or less I understand that statement. I understand his concern about hesitation of joining this association.

Any other suggestions or inputs? From other delegation with regard to the financial contribution issue. Whether this is going to be one of the proposals to be conveyed at the Board of Meeting or not. Malaysia? Thank you, sir.

**103. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

I think it is worthwhile for us to discuss at the Board of Meeting because the amount of financial contribution is not yet determined. For example, the world conference contribution is only 1,000 € a year. But, most importantly is that this should be taken into discussion first and then determined the amount. But the financial expenses on the host countries is a separate matter. Maybe a host country chooses not to collect contribution for congresses like this. That maybe the case. For the Asian Law Conference that is held annually, for example. There are charges to a number of countries, but some countries are waived of the charges.

As mentioned by Russia, I do not suggest I'm an expert in association and his concern about making financial contribution an obligation will certainly make countries hesitant to join the association. But, on the other hand, we can ensure all member countries that any financial contribution to be decided later on will be used for the most interest or benefit of all member countries. And that we need to show. Sir, from Azerbaijan and Kazakhstan, please.

**104. AZERBAIJAN DELEGATION: RAUF GULIYEF (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

Of course, I would also like to propose and to attract for any kind of the exchange of use regarding the contribution in regard to the framework. The possible contribution if this issue will be conferred by the member states. I propose to attract for the exchange of use in this regard to the commission council of the bureau which secretariat is also implementing something like a coordinating secretary of the world conference of the constitutional justice. They have a special kind of calculation for this kind of contribution.

I'd say once again that I would support any kind of the decision adopted by our meeting. But I think that it would be useful to have the exchange of use within the

commission in this regard and to get the experience of this organization, as regard the board of congress. If I'm not mistaken Mr ... (inaudible) will also participate in this symposium and he has got thorough information in this regard and how to divide the sums taking into account their financial possibilities. I guess they have some kind of the mechanism of such calculation. This is something like a proposal if you don't mind. Thank you.

**105. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

We have heard your proposal from Azerbaijan – the proposal to find reference, make comparison, or exchange views, specifically from WCCJ for the amount of financial contribution and mechanism of collection.

**106. KAZAKHSTAN DELEGATION: BAKYT NURMUKHANOV (SECRETARY GENERAL OF CONSTITUTIONAL COUNCIL OF THE REPUBLIC OF KAZAKHSTAN)**

We remember that the previous presidents – Turkey, Korea, Indonesia – they have all taken the burden of costs for organizing congresses voluntarily. They are very generous. And in our association statute it governs that all costs for congresses shall be divided in equal manner among member countries and calculated after the congress is held on the basis of all the expenses that was expense by the organizing country. With regard to my country's experience, I can inform the following.

So, based on the amendment, we as of today we are not aware of the amount of expenses that we need, but we can only know after a congress is held and based on our law in Kazakhstan, the ministry that is in charge for this kind of congresses is the Ministry of Foreign Affair in Kazakhstan and the Ministry of Foreign Affairs usually allocates a certain amount of money for this kind of congresses, so usually at the start of the year the Ministry of Foreign Affairs will compile information about upcoming activities that are going to be hosted by our government and this will be the case with AACC.

I or we in our government have to identify any congresses that we are going to host from early on because we have to budget, we have to make allocation. We were present in the Venetian congress, and for that process of budgeting again we have to identify from early in and we have to incorporate that in the budget and expenditure planning of the Ministry of Foreign Affairs, so that we can budget for this activity. This is the sort of practice that we applied in our country, in our government. This is somewhat the relationship between the Ministry of Finances and the Ministry of Foreign Affairs in providing an allocation for an international congress. Additional information from Kazakhstan. Thank you.

**107. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF CONTITUTIONAL COURT OF THE REPUBLIC INDONESIA)**

What is conveyed by Kazakhstan is actually pretty similar to the system of budgeting and expense planning in Indonesia and in principle there will be technical ministries relevant so it is not only defined by the constitutional court of a country such as Indonesia but is also determined together by the Ministry of Foreign affairs, the Ministry of Finance and other relevant ministries such as the Ministry of Law and Human Rights, and it will also need to be taken into a consultative forum whether Indonesia can take the allocation for that activity for example. Any other input? From Indonesia. Go ahead.

**108. INDONESIA DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman. We truly appreciate and support the points that were conveyed in particular about contribution, a fixed or a permanent a set of defined contribution needs to be considered because in our statute there is a provision about financial burden and financial assistance given to the President of the AACC and the host of the congress. It is governed there that an estimated of cost that can be planned early on can be defined in such away, so that this cost can be divided among country members participating in AACC so that the president of AACC shall not burden all cost of the congress.

The second point, that I would like to convey is that I second to the proposal of Russian Delegation, congress can be held together or in conjunction with, for example, the commemoration of the anniversary of constitutional courts. For example, so that the cost for holding such activity can be combined and shared between two activities. That's the additional proposal from us. Thank you.

**109. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Indonesia. Any other suggestions or inputs? From Russia?

**110. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF RUSSIA)**

With regards to the topic said that we're going to discuss tomorrow, I would like to take your attention. If we are going to discuss presidency in an alphabetical order, we have to consider from which letter, from A, the beginning, or from Z the last in the alphabet or the last word? A, we have Afghanistan for example, so I would like to take this into consideration because alphabetical order is not as simple as we think. From which end should we start?

The second point I'd like to convey, is to consider about pointing a president not only for one year. Maybe 2017-2019, or maybe in 2017 but already defining the next president for 2019 for example. Perhaps, in tomorrow's discussion we can consider this. So a country, a member can ... then can convey... and perhaps we are not ready this year but we will be ready the subsequent years, in a specific year for example.

So, notwithstanding in any instrument that is going to be used or applied in electing the president, we want to propose this to determine several presidents upfront in specific years. So, the upcoming president, not the current not the immediate, next president but the subsequent after the next elected president, can make themselves ready, can take necessary preparations for an ample period of time. Thank you.

**111. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Russia, so in principle you remain to your proposal that presidential shall be elected voluntarily. And you also proposed to define, the next or two next period of presidency so that the subsequent president can have an ample of time in making preparations when the time comes for the country to act as president. This is one of the points that we will convey to the board of meeting.

Any other inputs? Any other? Suggestions? Regarding the presidency? I do not see any hand raised. So, there are several points that I would like to reiterate as summary of this session. The first one, is to encourage our colleagues, Secretary Generals, delegations to use volunteering mechanism for the next electional presidency or the election of president. So, we will give the opportunity for any country that is ready to take the presidency and we will support fully this decision.

However, if this mechanism fails or is not achievable, there shall be a decision to be taken by the Chief of Justice or Chief of Constitutional Court at the Board of Meeting tomorrow, by taking into consideration regionalization or alphabetical order which is proposed by our delegation from Russia. By joined presidency is also an option, and the other option is for the permanent secretariat to take care of the activity of this association.

Second point of the summary is to convey the proposal of Azerbaijan and Malaysia to revisit the discussion about financial contribution. We will convey that there is a need to discuss and decide about financial contribution.

The third points of my summary, as also conveyed by Russia, the need to introduce the mechanism for electing not only the immediate upcoming president but also subsequent periods for the next period or two periods for example, not only for 2018 but also for 2019 and 2020. So, the potential candidate for 2019 and 2020 will

have time to prepare themselves to act as president in those respective years. This will be another proposal that we take to the Board of Meeting.

Another proposal from Azerbaijan to define, to do a comparative study, or make references to other association of constitutional court or jurisdiction such as in Europe because most of the member of the AACC is also the member of other association such as Azerbaijan and Turkey belong to the European Association, and also to make a comparative study of financial contribution in WCCJ.

Pak Aslam also mentioned about the contribution in the amount of €1000 in WCCJ. Indonesia is also a member. And also in addition to electing president of AACC I think the most appropriate person these messages is the Chair or are the Chairs. But we have compiled the very comprehensive notes from today's meetings, sufficient for our Chief of Justice or Chair or Head of Delegates to convey at tomorrow's meeting, the Board of Meeting. Colleagues, Secretary General, Delegation with regard to the mechanism of president election of AACC, I think that would be all. If you still have any input or suggestions, I kindly welcome. With regards to the summary that I have just read out to you, to be raised to the BOM, if none... Is there one from Indonesia?

**112. INDONESIA DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman. One of the conclusion for presidential election by alphabetical order, is perhaps if that was to be discussed in the BOM, it should explain or we should mention the question from our Russian colleagues. There are several methods that can be opted or chosen; not only in alphabetical manner, but perhaps there is a mechanism for making exceptions for skipping the alphabetical order. And if there was such mechanism to skip a letter, then how do we go back to the order?

And then the second issue is, which to start from A or from Z? These are a number of alternatives that we have to take into consideration. This is an option of method to ensure that the election of the President of AACC in the future can run smoothly. So we have to take into consideration various conditions or various possibilities. This methodology is also used in a number of associations such as ASEAN. Experience shows that when a country is not ready to take the presidency of the association, the country can be skipped and then the association can return to the country afterward. Thank you.

**113. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Indonesia. In principle, you would like to ensure that there is a certainty in the methodology so as to prevent any vacancy. The alphabetical order, I think,

can be flexible. It does not necessarily mean that we have to start from A to Z, but we can also define to start from Z to A, or perhaps drawing the name for presidency. We certainly hope that there is a volunteering country because we all know that we want to promote sense of ownership and sense of belonging. So, whoever or whichever country takes the presidency position, should not be burdened because the country will receive full support from permanent Secretariats as well as from other members.

This is one of the points that we will also convey to the Board of Meeting tomorrow. If there is no more input or suggestion, my notes that I have conveyed can be taken as conclusion to be raised to the Board of Meeting tomorrow? Can we agree? Can we adopt it? Thank you.

I do not see any hand raise or any objection on the points that I have conveyed, so therefore I can safely say that these points have been taken to be raised tomorrow in the Board of Meeting. Furthermore, the last agenda before we sign the minutes of meeting is an agenda related to the plan for signing of the Memorandum of Understanding between the AACC and the CCJA. So MoU between AACC and CCJA. There is a plan for that because the President of CCJA will be present tomorrow and it is a wish of the Chair to have an MoU signed between AACC and CCJA. This is actually a delayed initiative, this was planned to be signed in Bali in 2016. So at that time there was a plan to sign an MoU between the two associations, but it was postponed because there were a lot of topics that we needed to discuss.

There was also a plan to invite Professor Arief Hidayat, the President of the AACC to come to Algiers to sign the MoU, but we weren't able to do that because of the schedule we had in Indonesia on election of the Head of Regional Government. So now the President of AACC has planned, or previously there was another occasion where the President of AACC planned to sign the MoU with CCJA, but it was also postponed or failed. So, today, this week, the plan to do that reoccurs, and so we hope that the signing of MoU between the two big associations, AACC and CCJA can take place finally.

So, for that, is there any objection or wish or suggestion, input, feedback regarding the signing of MoU between the president of AACC and the president CCJA tomorrow, now perhaps we are left with the question of which president is going to represent the of AACC signing this MoU because Indonesia has actually ended its presidency. So, whether the next president should sign the MoU or the current president. I would like to invite the suggestion from colleague here from delegation on that. Thank you. From Malaysia?

**114. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Thank you, with regards to MoU to be signed with the CCJA there are 2 issues. The first one, who is going to sign the MoU? I think if all members agree, I think

Indonesia as the permanent secretariat for planning I think Indonesia can sign if Indonesia receives consent to do that from all members before we can elect the new president.

Second issue, can we please have the draft of the MoU so that we can review and read it, and understand the scope of the memorandum, the articles contain therein, so that our chief of justice is well informed about this memorandum what are going to be cooperated between the two associations.

**115. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Mr. Aslam, delegation from Malaysia. A proposal from him, Indonesia can sign or may sign on behalf of the permanent secretariat provided all the chiefs of the constitutional court members agree tomorrow to do so.

The second one is to share the draft of the MoU to be signed. I think these two are very important. We will distribute the draft of the MoU to all of the delegations to the secretary generals and colleagues here to review and to read.

In principle, its cooperation between the two associations to share and exchange best practices among the two associations and initiatives of the two associations in promoting and developing democracy principles and law-abiding country's principles and also to exchange recourses including human resources. That's the principle in general, but I agree with your proposal to have the draft of MoU distributed prior to the signing so that you understand the scope of the cooperation between CCJA and AACC. Thank you, Mr. Aslam.

Any other additional input from my colleagues from secretary generals, from delegations? If none, the conclusion which derives from the agenda will be raised to the Board of Meeting tomorrow. And in a short moment we will distribute the MoU draft. And before we close the meeting perhaps there is other input and suggestion from delegation? From Russia?

**116. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF CONSTITUTIONAL COURT OF RUSIA)**

I have a proposal to the current president and the next president. There is a map in the folder that does not represent a correct border of countries on the map. The next president as well as the current president, please take this into your attention for proper mapping or map to exist.



**117. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you for your proposal. You mention the big border or unclear borders between one country to another and this concern and confuses the member countries and there should be line to determine the border of this country. I apologize for this absence. Perhaps, there was no ill intention but rather more of a practical reasoning, simplicity reasoning but if that is our wish, in the next meeting we can assure you, that we will put more proper borders of the countries. Thank you, as seen on the backdrop of this venue or this room. Any other input? Indonesia?

**118. INDONESIA DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Chairman. Your proposal, Malaysia, the draft, existing draft, if we were to distribute this draft in this meeting the organizer, organizing committee, can you please clarify whether this is going to be distributed in hardcopy or can we show in slides or in electronic format. We will distribute hardcopy, printed draft so that you can read it easily. Perhaps, we should not discuss this moment, but maybe review it later on and take notes, if you want to provide feedback to the Board of Meeting tomorrow.

**119. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

If there is no more, we will proceed to the next agenda, the signing or review and signing of the minutes of meeting of the secretary generals' meeting. For that this is now 15.00 WIB, 15.00 WIB in the afternoon.

We will break for a while to give the organizing committee to prepare the minutes of meeting, to be reviewed by the secretary generals and delegation this afternoon. We will break for coffee break for 15 minutes from now, and we will reconvene at 15 minutes past 3. Can we agree on that? Yes. Thank you, we will break until 15.15 WIB. Thank you.

**120. MASTER OF CEREMONY I: RAHMAT IDRIS**

Thank you, Chair, Delegates, Ladies and Gentlemen, we invite you to enjoy your refreshment, coffee, and tea as well as delicacies, which are already prepared outside of this conference room. Enjoy your coffee break. We will reconvene in 15 minutes. Thank you.

**121. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Colleagues from Kyrgyzstan and Mongolia are not yet present. Are we going to continue or do we wait for them to come? From Kyrgyzstan and Mongolia. We probably need to wait for them because probably in just five minutes they will come. We will wait for Kyrgyzstan and Mongolia to come.

**122. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF THE CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

I would like to give one more idea to be discussed tomorrow so that we will have a common understanding among us on what are the things that may hinder a country to consider whether or not they want to be a president, whether it can be continued after two years.

Article 28 of our regulation states that the association gives a way for once every two years, so maybe it's like a variation of people who want to promote themselves to become the president, like for example in the 2020 congress or by the end of 2019. Can we agree that if the regulation has stated like that, is there any special arrangement that we can do? And we probably need this special arrangement if one of the association members who by 2019 and 2020 agree to become the president. So, once again underlining that we have a permanent secretariat and that already enables the association to work even without the congress within the period. If we can decide a time limit for making the congress. Thank you.

**123. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, thank you to the delegation from Russia, Mr. Sivitskiy on the underlining of article 28 of the AACC statute. I think this is a reaffirmation that we can make a special arrangement and in regards to the presidency or the term of presidency as being regulated in article 28 is for two years, but we can make a special arrangement on this. Because the terminology here stated "in general". So, with the word "in general" it means that this statute of article 28 is not rigidly regulating in terms of how many years a presidency shall last, even though in general it is two years.

So, the input from our colleague Mr. Sivitskiy is a reaffirmation that it will depend on the BoMM meeting tomorrow in which we as the people who prepare the BoMM, the Board of Members Meeting, tomorrow, we need to have a discussion regarding whether we need to have an exclusion, and if yes, in what kind of exclusion. So, I think this is a very constructive input from Russia which can be a consideration for all of us as the Secretary General and also all of the delegations to give our feedback to the chiefs who are going to meet tomorrow to talk about this presidential issue

and therefore I think ... I haven't re-opened the Secretary-General meeting, so let us do that with the additional feedback and proposal from Russia.

And we probably will insert that in which part of the minutes of meeting that has been prepared by the committee. The minutes of meeting has been distributed, right? So, please show the minutes of meeting. So that we all can input the notes, the points, to be the material for the chair who is going to conduct the meeting tomorrow. Silakan dari sini membacakan. Sambil dibagikan mungkin bisa dibacakan. Siapa yang akan membacakan? Silakan.

**124. MASTER OF CEREMONY I: RAHMAT IDRIS**

Saya akan membacakan, Pak Sekjen.

Minutes of meeting. Meeting of the Secretary-Generals, the 7th of August 2017:

1. The meeting of the Secretary-Generals, the meeting of the Association of Asian Constitutional Courts and Equivalent Institutions. The Association was successfully held in Solo, Central Java, Indonesia on the 7th of August 2017. The meeting was chaired by the Secretary-General of the Constitutional Court of the Republic of Indonesia, Prof. Dr. M. Guntur Hamzah, and was attended by the participants to the meeting. List of participants is attached as annex 1. Opening
2. The opening session of the meeting was attended by the President of AACC, Prof. Dr. Arief Hidayat.

**125. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Tolong, MC, diberhentikan dulu. Yang paragraf pertama dulu diulangi. Let's discuss about the first paragraph first, whether there is any input from the delegation. Is there any input, or do you think it is already correct concerning the wording and the message that is contained in this paragraph. Go ahead. Any input? If there is. If not, then we can continue. Go ahead. I don't see any input, and this is only as a preamble. And the next is the opening for paragraph two.

**126. MASTER OF CEREMONY I: RAHMAT IDRIS**

2. The opening session of the meeting was attended by the President of AACC, Prof. Dr. Arief Hidayat.

**127. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I recognize Malaysia. If there is any input?

**128. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Yes, my apology. There is a slight, propably, like alternative, because we are using this meeting of Secretary-Generals, because if we see from the other organizations and United nations and et cetera, the wording that is used is ‘Secretaries General’.

**129. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, it is the same thing if it is approved by everybody, let us use the format like that. Or do we use the format that we have now?

**130. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

So, the Secretaries or Secretary-Generals, but what we google from the linguistic term it is Secretaries General, but that would be based on approval from everybody.

**131. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, let us use Secretaries General. Okay, so there is no ‘y’, just erase it. Don’t use any track change. So can you re-read it again please?

**132. MASTER OF CEREMONY I: RAHMAT IDRIS**

The meeting of the Secretaries General, the meeting of the Association of Asian Constitutional Courts and Equivalent Institutions. The Association was successfully held in Solo, Central Java, Indonesia on the 7th of August 2017. The meeting was chaired by the Secretary-General of the Constitutional Court of the Republic of Indonesia, Prof. Dr. M. Guntur Hamzah, and was attended by the participants to the meeting. List of participants is attached as annex 1.

**133. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, continue.

**134. MASTER OF CEREMONY I: RAHMAT IDRIS**

Opening.

2. The opening session of the meeting was attended by the President of AACC, Prof. Dr. Arief Hidayat, SH. MS., Chief Justice of the Constitutional Court of the Republic of Indonesia. The President officially opened the meeting and delivered his

opening remarks. In his opening remarks, the President welcomed the participants to the meeting and highlighted among others that the association is embracing a new chapter since its establishment in 2012, whereby in 2016, the members agreed on the establishment of a Joint Permanent Secretariate for the Association. A decision that was taken in concensual and collective manner.

**135. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, Any inputs? Any feedbacks? No? Let's go to paragraph three.

**136. MASTER OF CEREMONY I: RAHMAT IDRIS**

Paragraph 3, Number 3. In 2016, it was agreed that the Constitutional Courts of the Republic of Indonesia would assume the responsibilities of the Secretariate for Planning and Coordination. The Constitutional Courts of the Republic of Korea would be responsible for the Secretariate for Research and Development. And the Constitutional Courts of Turkey, for the Center for the Training and Human Resources Development. He stated that today's meeting saw the first implementation of the Association's amendment to the statute in 2016, with Russian being used as an official language of the association.

**137. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes ... any ...? Continue because I do not see any objections.

**138. MASTER OF CEREMONY I: RAHMAT IDRIS**

Paragraph 4 number 4. The President further brought the meeting's attention to the following issues:

1. Progress Report of the establishment of respective secretariate since 2016.
2. Administrative and substantive roles that have been taken to date in supporting the association.
3. Rules and mechanism that should be envisaged in the respective permanent secretariate.
4. How Human Resouces Management and Development should be developed.
5. How the association can develop coherent programs and activities among the secretariates.
6. And election mechanism for precidency that could be fostered for the effective implementation of the decision taken by members of the association.

**139. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I see the colleague from Malaysia.

**140. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

Yes, can I also say something for paragraph 4, point 4, how Human Resources Management and Development should be developed. May be we can make it into positive, like management and development plus the resources should be developed. So also with point number 5, developing coherent programs and activities among the secretariates of the association. Because all of the above are not using a question word, they are not WH questions.

**141. MASTER OF CEREMONY I: RAHMAT IDRIS**

Number 5. The President stressed the importance of the association exploring the possibilities of collaborating with the Conference of the Constitutional Jurisdiction of Africa or CCJA, including through the establishment of a memorandum of understanding between two organizations. He concluded by accentuating his wish that the meeting of the Secretary Generals could be able to arrive at fruitful results and deliverables.

**142. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Any input? Yes, continue please. If there is an input.

**143. MALAYSIAN DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR OF THE FEDERAL COURT OF MALAYSIA)**

The words Secretary Generals, paragraph 5, can you do it like the way it is in the front? Thank you.

**144. MASTER OF CEREMONY I: RAHMAT IDRIS**

Number 6. The meeting adopted the agenda as a priors in annex 2. Report from the Secretary General of the Constitutional Courts of the Republic of Indonesia regarding the preparation of the Boards of Members Meeting (BoMM) on the 8<sup>th</sup> of August, 2017.

Number 7. The meeting was briefed by the Indonesian Delegation on five activities to be held as part of the AACC Meeting in Solo, Central Java, on August 7-11, 2017. These activities, namely the Meetings of the Secretary Generals or MSG, the Board of Members Meeting or BoMM, International Symposium Call for Papers

and Cultural Programs. Satu lagi tambahannya. One more addition is the general lecture, so that's before the Call for Papers. Enam, ya.

**145. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ada masukan? Any more inputs? I don't see any, so let us continue to number eight.

**146. MASTER OF CEREMONY I: RAHMAT IDRIS**

8. During MSG and BoMM, several key agendas will be discussed such as the progress of the permanent secretariat establishment, the preparation of AACC's participation at the World Conference on Constitutional Justice Congress in Lithuania in September 2017, and the election of the new term president of the AACC.

**147. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, continue, please.

**148. MASTER OF CEREMONY I: RAHMAT IDRIS**

The International Symposium will be held on August 9-10, 2017 with the theme Constitutional Court as the Guardian of Ideology and Democracy In a Pluralistic Society. This will be followed by a cultural program held at the Borobudur Temple Yogyakarta on August 11, 2017.

**149. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So number eight, please. The World Constitutional ... Constitutional Justice Congress--can you put WCCJ congress? Next!

**150. MASTER OF CEREMONY I: RAHMAT IDRIS**

The secretary general also updated that 13 members of AACC are participating, while three other members, Pakistan, Tajikistan, and the Philippines could not attend the meeting. There would also be five invited countries and three invited organizations. The presentations appear as Annex 3.

**151. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, continue.

**152. MASTER OF CEREMONY I: RAHMAT IDRIS**

BoMM at the third Congress of AACC.

11. The Indonesian Delegation took the opportunity to report to the meeting of the association's preparation to the World Conference on Constitutional Justice in Lithuania, which would be held next September 2017. As agreed, on BoMM last year, the association decided to assign a representative from Korea as a speaker, a representative from Azerbaijan as a moderator, and a representative from Indonesia as a rapporteur.

Of this note, the Korean Delegation informed the meeting, that confirmation on name of the speaker will be given after the hearing between the acting president of the Constitutional Court of Korea and the Korean Parliament, concludes its session. The Russian delegation also took the floor and indicated that it would give information during the BoMM, concerning a situation that it encounters with regard to the Lithuanian government's position of Russia's participation at the world conference.

**153. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya. Ada? Silakan. Yes. Go ahead from Indonesia, and then after that from Kazakhstan. Yes, go ahead from Indonesia.

**154. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Untuk kata-kata, "to be held next September". Mungkin bisa kita tuliskan, "11 sampai 14 September".

So the words, "to be held in September", can be written, "September 11th sampai 14th". And similarly on number eight, it's the same thing. On September 2017, put the date, which is 11-14. So point eight, also some corrections.

**155. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, next. Wait for a moment. I see from Russia.

**156. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF CONSTITUTIONAL COURT OF RUSSIA)**

In regards to point ten, is it already specific certain data that Pakistan, Tajikistan, and Philippines are not going to come because from the list that I have, Uzbekistan



is not here as well. So please give us a confirmation. So Uzbekistan and Afghanistan in the list of participants I cannot see them. So I just want to be informed whether they are going to come or not because you only have three countries in here who are not attending and also in the future what we can do about this. So is there any explanation about this? Yes, thank you.

**157. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So based on the last confirmation for Uzbekistan and Afghanistan, they are going to attend the Board of Members Meeting. However, on today's meeting they cannot be present because they will arrive later this evening. So that's it. Thank you.

So they will not attend the Secretary General Meeting but in the Board of Members tomorrow they will come because they will arrive this evening. So more or less that is the explanation. So they will come but because they will arrive tonight, they are absent in the secretary-general meeting but tomorrow for the Board of Members Meeting, Uzbekistan and Kyrgyzstan will be present. Yes, if there is any addition or something? Ya. Dari Kazakhstan, silakan. Ya, ada 11. There are 11 members. Okay, is there any other addition? Yes, continue.

**158. MASTER OF CEREMONY I: RAHMAT IDRIS**

There are 12. During the discussion, delegations of Malaysia, Kazakhstan and Kyrgyzstan mentioned that they will participate at the WCCJ on the basis of their individual capacity as members to the WCCJ.

**159. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I recognize from Korea. The floor is yours.

**160. KOREAN DELEGATION: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF THE CONSTITUTIONAL COURT OF KOREA)**

Moving to item no. 12 we would like to make a correction regarding 11, the number 11 on this note. Can you find that? The sixth line of the paragraph. On this note the Korean delegation informed the meeting that acting president Mr. Kim Yi-su will assume the role. That was the point that we were trying to make. Kim Yi-Su. Kim Yi-Su. Three. There should be a hyphen between Yi and Su--assumes the role of keynote speaker. Thank you. And please erase.

**161. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Please read again for point 11.

**162. MASTER OF CEREMONY I: RAHMAT IDRIS**

The Indonesian delegation took the opportunity to report to the meeting of the association's preparation to the World Conference on Constitutional Justice in Lithuania, which will be held on 11-14 September 2017. As agreed at the BoMM last year the association decided to assign a representative from Korea as a keynote speaker, a representative from Azerbaijan as a moderator and a representative from Indonesia as a rapporteur. On this note, the Korean delegation informed the meeting that acting president Mr. Kim Yi-Su will assume the role of keynote speaker. The Russian delegation also took the floor and indicated that it will give information during BoMM concerning a situation that it encounters with regard to the Lithuanian government's position on Russians participation at the world conference.

**163. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Okay, continue.

**164. MASTER OF CEREMONY I: RAHMAT IDRIS**

During the discussion, delegations of Malaysia, Kazakhstan, and Kyrgyzstan mentioned that they will participate at the WCCJ on the basis of the individual capacity as members to the WCCJ. Discussion on the progress of the permanent secretariat establishment. Number 13. The chair gave opportunities (...)

**165. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Stop, please. Stop. Can I see our colleague from Azerbaijan?

**166. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

12. I would propose the last at (inaudible) also Azerbaijan because before becoming the member of the Asian Association, we were also the member of the World Congress. Even though Azerbaijan was selected as the moderator, I'm honored to do this and will do it with great pleasure. We are the full fledged member of the world conference and joined this organization before the Asian Association. Can you please also add Azerbaijan as well? Thank you.

**167. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yes, please. Also put Azerbaijan as the moderator. Delegation from Indonesia.

**168. INDONESIAN DELEGATION: PAN M. FAIZ (RESEARCHER OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Okay, let us go back to point 10. These thirteen members are changed to eleven members actually. The correct one is thirteen members. Because those people who are going to participate in the International Symposium have been mentioned in point 9. So, you have thirteen members who are going to be present. Okay.

**169. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Any more comments? If not, let us continue. No. 13

**170. MASTER OF CEREMONY I: RAHMAT IDRIS**

Discussion on the progress of the permanent secretariat establishment.

13. The chair gave opportunities to Korea, Indonesia, and Turkey as the hosts of the permanent secretariats to update the meeting on the development and progress of each secretariat.

**171. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Continue.

**172. MASTER OF CEREMONY I: RAHMAT IDRIS**

14. (inaudible) was informed by Mr. Yong Hun Kim, Secretary General of the Constitutional Court of the Republic of Korea of the progress made with regards to the establishment of the permanent Secretariat of Research and Development or SRD in Seoul. The secretariat in Korea has also appointed representatives from the other members of the association in its structure of organization where a representative of Malaysia holds the position of Deputy Secretary and a representative of Kazakhstan as Advisor. The presentation appears as Annex number 4.

**173. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Continue please.

**174. MASTER OF CEREMONY I: RAHMAT IDRIS**

Set up and substantive work have also been carried out by SRD in the form of staff recruitment and office establishment as well as funding program to facilitate the involvement of AACC member institution. In late June 2017, SRD co-sponsored an international conference on human rights, rule of law, and legal culture in Seoul.

**175. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Any inputs? Yes, continue. We don't have any inputs.

**176. MASTER OF CEREMONY I: RAHMAT IDRIS**

Number 16. With a view to moving forward, the secretary general emphasized the importance of establishing effective channels of communication between the AACC SRD and each AACC member, among others, to draw expertise of each member institution. The input will be then made as the basis of research projects to this view. It is suggested that each AACC institution nominates one liaison officer in charge of communication with SRD. The SRD has also made a secondment program and made funding available to seconded officer interested in completing the Master's Degree Program at the Seoul National University.

**177. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

No more inputs? Next.

**178. MASTER OF CEREMONY I: RAHMAT IDRIS**

Number 17. The Indonesian delegation briefed the meeting that an office has been dedicated as the permanent secretariat for planning and coordination and it is currently located at the ground floor, of the Constitutional Court of the Republic of Indonesia. Not only has it been operational, but the Constitutional Court of Indonesia has secured both financial support and legal basis for the secretariat through the issuance of a recent presidential decree. A website has also been developed for the secretariat and further improvement will be carried out.

**179. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, ada. Very well. Is there any other input? If none, continue.

**180. MASTER OF CEREMONY I: RAHMAT IDRIS**

The permanent secretariat for planning and coordination has also arranged work plan to coordinate international activities of members of AACC. The permanent secretariat will arrange an annual calendar of events of the AACC members.

Therefore, Indonesia encourages each member to share data on their international activities. The secretariat, will distribute the information to all member states and it will also be published on the website, such as coordination of liaison officers of AACC. The secretariat will invite liaison officers to attend a working level meeting to discuss current issues that deserve special attention, such as the amendment of the statute.

**181. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya. Very well. That's enough. Continue.

**182. MASTER OF CEREMONY I: RAHMAT IDRIS**

The Turkish delegation briefed the meeting that it has organized various courses including last year's summer school, which was focused on the theme of Respect of Right to Life, and Respect of Freedom of Expression. This year, Turkish Constitutional Court will organize a Summer School Meeting in October with Migration Law as its central theme reflecting and depicting on the current situation and challenges faced in Europe. He also informed the meeting that simultaneous translation in the Russian language will be provided during the summer course.

**183. TURKISH DELEGATION: ABDULAH ÇELİK (CHIEF REPPORTEUR JUDGE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Excuse me.

**184. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, silakan dari Turki.

**185. TURKISH DELEGATION: ABDULAH ÇELİK (CHIEF REPPORTEUR JUDGE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Last year, the Summer School focused on Right to Respect Private Life.

**186. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Respect of private life ya, and respect for? What is the theme again? Please repeat. Respect of private life?

**187. TURKISH DELEGATION: ABDULAH ÇELİK (CHIEF REPPORTEUR JUDGE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Not freedom of expression.

**188. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, ya. Freedom to expression.

**189. TURKISH DELEGATION: ABDULAH ÇELİK (CHIEF REPPORTEUR JUDGE OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF TURKEY)**

Only private life.

**190. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, only, ya, ya. Oke, ya, lanjut. Very well. Continue.

**191. MASTER OF CEREMONY I: RAHMAT IDRIS**

During the discussion the Kazakhstan delegation inquired, whether there has been a translation to Russian of the last BoMM decisions in 2016, since there has not been any on the current AACC website. As a response, the chair informed the meeting that although the amended Article 5 of the statute provides that and final documents in the framework of the association activity shall be adopted in English unless the Board of Members decides, otherwise, he nevertheless has obtained information from the Indonesian delegation as the host of the permanent secretariat of AACC, that it will also provide translation in Russian of the BoMM decisions last year.

**192. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Okay. Very well. From Russia. Go ahead. Please go ahead.

**193. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF CONSTITUTIONAL COURT OF RUSSIA)**

So, from our last request. Point 1 Article 5. The first point in Article 5, that all translations in final documents shall be provided within adequate time, after the decision was made. So, if we take a look at this paragraph, the document was decided, and once it is accepted and adopted then it will be translated into the Russian language within a certain period of time or in time.

So if we refer to article 5 of this statute of this association, for example, now we are in discussion, it does not mean that the translation needs to take place today, this moment, but after it is decided and document is adopted then after that it is translated into Russian within a period of time. Sufficient period of time is given to ensure translation, so here I think there should be revision or correction. Our wish to have the translation into Russian language is not the wish of the moderator or of the president of this meeting but let us make it as reference in accordance to the article number 5 that stated that all translations be made available within sufficient period of time. I would like to reiterate that we have actually received the translation in Russian and I think for decision of this meeting I believe we can also help with the translation.

**194. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you, Russia, for your proposal and for your correction that should be a provision about the time that needs to be given for translation not immediately after but there should be time given. I guess that is an addition to the note.

**195. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

Russia would also like to add that it is referring to or in accordance to, in accordance to the article 5, amendment of article 5.

**196. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So in principle, English to Russian, English and Russian with reasonable period of time given after the decision is made at the BoMM. So any decision taken by the

BoMM will be referred to this decision of the Secretary Generals meeting. Russia, you have the floor.

**197. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

I would like to add something else. So, we approve. We agree. So, in addition to simultaneous translation, we will also provide English translation document, but only after the document is adopted. Once the document is adopted only then we translate into Russian. So there has to be reasonable period of time given for the translation. This is already governed by the statute.

**198. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Indonesia, please.

**199. INDONESIA DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So this is in accordance to the statute, we suggest the wordings for translation be provided. It should be, shall be prepared, not ‘shall be provided’ but ‘shall be prepared’.

This is to refer to article 5 that also reiterates that the translation of all final documents to the other official working languages should be prepared within reasonable period that is already in line.

**200. CHAIRPERSON: M.GUNTUR HAMZAH (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Continue, please. Article 21. Or paragraph 21.

**201. MASTER OF CEREMONY I: RAHMAT IDRIS**

The Russian delegation encouraged the association that any progress or reports of any activities each of Permanent Secretariat should be regularly disseminated to members beyond annual AACC meetings. And the same thing, Kazakhstan Delegation proposed the name of liaison officers could be inscribed online to facilitate communication among the liaison officers.



**202. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Very well. Korea, go ahead.

**203. KOREAN DELEGATION: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF THE CONSTITUTIONAL COURT OF KOREA)**

Item number 21. Could you please go back to item number 15, please? Thank you. At the end of the paragraph, Korean Constitutional Court would like to add one sentence, which is: it presented three areas of work and working methods of AACC HRD, the details of which can be found in AACC HRD Achievement and Concept, which was distributed beforehand. Thank you.

**204. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Yeah, okay. Continue please. Point 21 and 22.

**205. MASTER OF CEREMONY I: RAHMAT IDRIS**

Here, concluded the discussion by echoing the importance of member institutions to utilize fully the established permanent secretariats as well as the appointment of liaison officers for daily tasks. Thank you.

**206. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Please replace “member institutions” into “member associations”. Continue.

**207. MASTER OF CEREMONY I: RAHMAT IDRIS**

Of the new term president of the AACC. Number 23, the meeting has listened to all delegation positions of the election of the new term president of the AACC, in the absence of strong indication of any country to be voluntarily nominated at the level of Secretary Generals, the meeting discussed various election mechanisms for the new term president. Such mechanisms include the following; voluntary basis, regional basis, alphabetical order, joined presidency, permanent secretariat, to carry out the relevant duties in the absence of the new elected president.

**208. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Continue.

**209. MASTER OF CEREMONY I: RAHMAT IDRIS**

It transpired from the meeting that voluntary election would be preferable to the other mechanisms as suggested. However, a number of countries also supported the suggestion of rotating presidency by alphabetical order. Moreover, the delegation of Malaysia indicated that the Chief Justice of Malaysia would share its views during the BoMM on this matter.

**210. MALAYSIAN DELEGATION: MOHD. AIZUDDIN ZOLKEPLY  
(JUDICIAL OFFICER OF THE FEDERAL COURT OF MALAYSIA)**

So Chairman, I have (...)

**211. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL  
OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF  
INDONESIA)**

Yes, please, Malaysia.

**212. MALAYSIAN DELEGATION: MOHD. AIZUDDIN ZOLKEPLY  
(JUDICIAL OFFICER OF THE FEDERAL COURT OF MALAYSIA)**

When they read ... it says here, moreover the Delegation of Malaysia and the Chief of Justice of Malaysia would share its view, the word *its* is it referring to the suggestion rotating presidency of election of the alphabetical order? Because as what we have been told in the meeting just now that we wanted to talk about what is Malaysia's position against the suggestion and proposal met by the members that Malaysia should be the next president. So, I think the word *its* does not refer to suggestion of rotating presidency. Maybe should be reword, again. Reword it.

**213. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL  
OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF  
INDONESIA)**

So, number 24, its does not refer to the mechanism of the election of presidency, but Malaysia's position regarding the suggestion of Malaysia to become the next president. Please make necessary revision as proposed by Malaysia.

**214. MALAYSIAN DELEGATION: MOHD. AIZUDDIN ZOLKEPLY  
(JUDICIAL OFFICER OF THE FEDERAL COURT OF MALAYSIA)**

I'm not sure if you want to put that word on a separate note. The Delegation of Malaysia indicated that the Chief Justice of Malaysia would share their views ... that the Chief Justice of Malaysia would share this suggestion we share Malaysia here ... adopt the rule of democracy.

**215. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Cukup? Is that sufficient? Mr. Aizuddin, is that sufficient? Very well. Russia, you have the floor.

**216. RUSSIAN DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF THE CONSTITUTIONAL COURT OF RUSSIA)**

I think, everyone will share their opinion or there position on this, not only Malaysia. So in principle, this information is not or should not be incorporated in these minutes of meeting because, naturally, everyone will share their position or view tomorrow.

**217. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

So, that is a suggestion or proposal from Malaysia tomorrow everyone will share their views, and having said that, should we make a specific for Malaysia or should we take this out? Whereas Malaysia is in the opinion of sharing their view regarding their proposal, they are proposed by the members to become the next president. So, as annotation, there are a number of members that will share their views. Oh, they have proposed Malaysia to act as president and therefore, this paragraph is specific for Malaysia that it is their wish to share about their position regarding the proposal. Okay? Very well? Any revision? Enough? Continue? To number 25.

**218. MASTER OF CEREMONY I: RAHMAT IDRIS**

25. The meeting also ... a proposal of Azerbaijan regarding financial contribution and its importance that will influence the interest of any member to hold the presidency. Several ideas highlighted the importance of drawing lessons and experience from other equivalent organizations, in particular, from the Finnish Commission and The European Council for Constitutional Justice.

**219. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Ya, ada? Silakan, Azerbaijan. Azerbaijan, you have the floor.

**220. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

Terima kasih, Pak. Modification of the first sentence. It should be a proposal to be read as follows. The meeting also discussed the proposal of Azerbaijan, regarding reasonable financial contribution to be proportionally shared among all members

that will facilitate the work of the presidency. And in the second sentence, the word *lessons* should be deleted. Just the word *lessons*. Yes, and to *leave experience*. Yes, thank you.

**221. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you. Is that all? Indonesia, you have the floor.

**222. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Allow me to make revision on point number 24, paragraph 24. Paragraph 24, Mas Faiz, please. Come back to paragraph 24.

**223. INDONESIA DELEGATION: PAN M. FAIZ (RESEARCHER OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

Untuk menghindari kebingungan ketika membaca para ... become a separate paragraph, and it should be started. I will read it “with regards to suggestions of the several member countries that Malaysia can take ... the next presidency, the delegation of Malaysia will respond and so on”.

So to avoid confusion, it is not about the mechanism but it is about the suggestion from several countries: will respond or will share.

**224. MALAYSIA DELEGATION: MOHD. AIZUDDIN ZOLKEPLY (JUDICIAL OFFICER FEDERAL COURT OF MALAYSIA)**

Ya, I think *respond* is a better word.

**225. INDONESIA DELEGATION: PAN M. FAIZ (RESEARCHER OF THE CONSTITUTIONAL COURT OF INDONESIA REPUBLIC)**

There is a suggestion.

**226. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Very well, Malaysia, you have the floor.

**227. MALAYSIA DELEGATION: ASLAM ZAINUDDIN (DEPUTY CHIEF REGISTRAR FEDERAL COURT OF MALAYSIA)**

Sir, the delegation of Malaysia, maybe we can put it this way, Delegation of Malaysia will respond or delegation from Malaysia will give their views during the BoMM.

Thank you. Will give their views during BoMM on this matter. And one other thing, Sir, usulan dari negara negara, dari kata tersebut ... with regard to suggestions. The words should be: Malaysia takes the next presidency.

Next, point or paragraph 28, one other thing, Sir. Malaysia, one other thing: 'Malaysia takes the next presidency' not 'take', *takes* with an 's'. Thank you.

**228. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Next, this should be moved to ... wait, wait, let's go to 27.

**229. MASTER OF CEREMONY I: RAHMAT IDRIS**

Meeting notes strong support from member countries to the next presidency, moreover the permanent secretariat will also render its full support and service for the successful term of the next presidency of the association.

**230. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Next. Adoption of minutes of meeting should be moved after "other matters". Move the adoption of meeting before closing, after "other matters". Continue, Azerbaijan, you have the floor, do you have inputs?

**231. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF THE CONSTITUTIONAL OF AZERBAIJAN REPUBLIC)**

Return, back to paragraph number 26, second sentence: The Venice Commission of Council of Europe, not simply the Venice Commission. The Council of Europe should be added after the words The Venice Commission. The Venice Commission of the Council of Europe. And the European Conference of Constitutional Courts, of Constitutional Courts. Courts, instead of justice. Okay, thank you.

**232. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Well, continue. From Russia, Russia you have the floor.

**233. RUSSIA DELEGATION: EGOR BUSHEV (COUNSELLOR, DEPARTEMENT OF INTERNATIONAL RELATIONS AND RESEARCH OF CONSTITUTIONAL REVIEW PRACTICE OF CONSTITUTIONAL COURT OF RUSIA)**

The Russian delegation convey that the logo or any signage such as billboard should have clear boundaries, especially the countries included in Russia. I will ask my colleague to read it out in English.

Our suggestion as the new items is exposed. After the Russian Delegation draw attention to the necessity of using only the correct geographical maps for declaration of the association events. Full stop. In particular, at the present meeting of secretary generals. Sorry ... the map depicted on the wallpapers and billboards ... no ... Not here after secretary generals ... the map depicted on the wallpapers and billboards explicitly lacks the territory of the Crimea Peninsula, the territory of the Crimea Peninsula, which is a part of Russian's territory. At the present ... I'm sorry ... at the very beginning of the second sentence. At the present event instead of the meeting of the secretary generals, at the present event, thank you.

**234. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Suggestion from Russia. Any input from other delegation?

**235. RUSSIA DELEGATION: EGOR BUSHEV (COUNSELLOR, DEPARTEMENT OF INTERNATIONAL RELATIONS AND RESEARCH OF CONSTITUTIONAL REVIEW PRACTICE OF CONSTITUTIONAL COURT OF RUSIA)**

And in this regard, maybe to exclude sub ... sub items preparation with the reference, the names of sub items above item 28. Thank you.

**236. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Any other input? Go ahead. Is it necessary that paragraph 28 explicitly, 29 I'm sorry, paragraph 29 explicitly mentions the lack of territory of Crimean Peninsula because we are not in the position of discussing this territorial issue or matter because this is a matter regarding the territory and it is a sensitive issue and we are not in the position of discussing that. Our backdrop, this is just to depict the member country of AACC globally. This does not mean that we do not acknowledge or have lack of acknowledge of a certain area. Is this not too specific to raise Crimean Peninsula, I would like to ask for suggestion or inputs from other delegation. Do we need to state explicitly or should we just stop at the first sentence, this association event? I guess explicitly in particular, should we put this in this paragraph, but we will take

note as the organizing committee next time when we prepare the signage or maps or drawing or anything that depicts map should be drawn clearly next time, but I am in the opinion to take out the issue of this territory specifically because we are not in the position of discussing about territorial matters.

We have to avoid issues that are not relevant to our meeting so as not to assume that we are discussing about territorial matters because we are, the AACC is not in the position of discussing such matter. So, I think we should stop in the first sentence unless there is other opinions. Okay? The Russian agree with that sentence. That's quite clear, so let us just stop at the first sentence, and ... but we take note as the organizing committee in the future to pay more attention to the backdrop or drawings of map. Thank you Russia. For paragraph 30?

**237. MASTER OF CEREMONY I: RAHMAT IDRIS**

Minutes of meeting, 30, the meeting adopted minutes of meeting.

**238. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF INDONESIA CONSTITUTIONAL COURT**

Ya, ada? Azerbaijan, silakan.

Is there any input Azerbaijan? You have the floor.

**239. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

Yes, going back to paragraph 27.

**240. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF INDONESIA CONSTITUTIONAL COURT**

Ya, silakan.

Yes, please.

**241. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

26, sorry, 26. When we write here in particular from the Venice Commission of the Council of Europe, we should add there as regards, just a second, the World Conference on Constitutional Justice because we speak about the necessity to take into account the practice of the Venice Commission, not simply the Venice Commission, but as regards to the role of the Secretary of the Venice Commission and the functions of their role in the Conference on Constitutional Justice, it should be linked to each other.

**242. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF INDONESIA CONSTITUTIONAL COURT)**

Baik, terima kasih atas koreksi. Thank you for your correction. From Korea, the floor is yours.

**243. KOREAN DELEGATION: KOOK HEE LIM (DEPUTY DIRECTOR INTERNATIONAL AFFAIRS DIVISION OF THE CONSTITUTIONAL COURT OF KOREA)**

Very minor correction to the name of our acting president, could you go back to item number eleven please? Six lines? Again? Instead of Kim Lee Su, could you please mention Lee Su Kim, to follow the western order of the name of a person?

**244. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF INDONESIA CONSTITUTIONAL COURT)**

Oke. Ya, cukup. Very well. That's enough. Continue to closing, paragraph 31.

**245. MASTER OF CEREMONY I: RAHMAT IDRIS**

Meeting was concluded with a signing of the minutes of the meeting.

**246. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF INDONESIA CONSTITUTIONAL COURT)**

We would like to ensure, that all of you can review the names of the signatories of the minutes of the meeting to prevent any misspelling, including from Kyrgyzstan, whether the name of the signatory is already correct. The organizing committee please make it uniform. There should be an underline after the name. Kyrgyzstan, you have the floor.

**247. KYRGYZ REPUBLIC DELEGATION: MARAT DZHAMANKULOV (SECRETARY GENERAL OF CONSTITUTIONAL CHAMBER OF THE SUPREME COURT OF KYRGYZ REPUBLIC)**

Thank you, Mr. Chairman. Just now, my colleague from Kazakhstan, I just found that it is not correctly spelled. It is not, Bahit but there is a misspelling of *Bahit*, there should be a K, B-A-K-H-I-T, oh without the h, B-A-K-I-T. B-A-K-Y-T. As stated in the book, B-A-K-Y-T, and he is not the Head of the Legal Department. He is the Secretary General. And my position, my title, I am not the Advisor to the Chairman. I am the Secretary General, so below Bakyt, Marat Dzhamankulov, please revise I am the Secretary General for the Constitutional Chamber of the Supreme Court of Kyrgyz Republic.



**248. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I do apologize for the misspelling and the title in this speech, on this speech, we will make revision and correction. Thank you.

**249. KYRGYZ REPUBLIC DELEGATION: MARAT DZHAMANKULOV (SECRETARY GENERAL OF CONSTITUTIONAL CHAMBER OF THE SUPREME COURT OF KYRGYZ REPUBLIC)**

And in the handout distributed to us because this will be incorporated on the website, I ask that you pay attention to the name of our state Kyrgyz Republic. Kyrgyz Republic--that is the complete title of the state. So again, my title is not the advisor to the chairman but please take into account and make necessary correction.

**250. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thank you Secretary-General of Kyrgyz Republic. I apologize for the misspelling of your name and title, and I ensure that we will make necessary correction to all relevant documents. Make necessary correction to Bakyt Nurmukhanov and Marat Dzhamankulov, the Secretary-General of Constitutional Chamber of Supreme Court Kyrgyz Republic. Azerbaijan, you have the floor.

**251. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

Thank you. We will also like to make correction. Just a minor correction.

**252. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

There's no 'of'. Please delete 'of'. The name is fine.

**253. AZERBAIJAN DELEGATION: RAUF GULIYEV (SECRETARY GENERAL OF CONSTITUTIONAL COURT OF AZERBAIJAN REPUBLIC)**

The 'of' should be deleted. Secretary-General, The Constitutional Court is okay. I just wanted to mention about the Kyrgyz Republic and Kazhakstan Republic. Okay, Thank you.

**254. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

That's it. Anything else? Any correction? Myanmar, you have the floor.

**255. MYANMAR DELEGATION: HLA MYO (DEPUTY DIRECTOR OF CONSTITUTIONAL TRIBUNAL OF MYANMAR)**

The name, the position is okay. The title of state, before The Union of Myanmar should put 'The Replublic of the Union of Myanmar'. It is correct.

Not people.

**256. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Anymore correction? Is there anymore correction?

**257. RUSSIA DELEGATION: EGOR BUSHEV (HEAD OF SECRETARIAT OF CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

'of the Russian Federation', please. 'of the', thank you. Sorry, 'of the Russian Federation', yes.

**258. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Thailand?

**259. THAILAND DELEGATION: CHAOWANA TRAIMAS (ADVISOR ON ACADEMIC THE CONSTITUTIONAL COURT OF THE KINGDOM OF THAILAND)**

'of the office of the Constituitional Court' Okay. Thank you.

**260. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Anything else? Indonesia? You have the floor.

**261. INDONESIAN DELEGATION: RUBIYO (HEAD OF PUBLIC RELATIONS AND PROTOCOL AFFAIRS BUREAU OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I apologize, chairman, paragraph 10. Paragraph 10, so that we have a clear understanding of the paragraph. The word ‘meeting’ should be replaced with ‘International Symposium’. Thank you.

**262. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Very well. All necessary corrections from Russia? You still have some more?

**263. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

Please go back to paragraph 10.

**264. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Paragraph 10.

**265. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT CONSTITUTIONAL COURT OF THE RUSSIAN FEDERATION)**

Please go back to paragraph 10.

**266. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

In my understanding, the international symposium, Uzbekystan will be present at the International Symposium. Sixteen attendees, 3 plus 5, I don’t think it is amounted to 18. Do we need this paragraph? Should we take out the paragraph? Russian.

**267. RUSSIA DELEGATION: VLADIMIR SIVITSKIY (HEAD OF SECRETARIAT OF CONSTITUTIONAL COURT OF RUSIA)**

The Association of Asian Constitutional Courts counts only 16 members. And we wrote 13 members are participating while 5 others are counted to 18, not 16. So, it should be either 13 members or ... whatever. Or maybe, we just need to expel this item, if we do not need it, really.

**268. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

There is a proposal from Russia to just take out paragraph 10 if the data is not fixed or is not confirmed. Indonesia, do you have any explanation on this? Mr. Pan M. Faiz, you can also add on to my response.

**269. INDONESIA DELEGATE: PAN M. FAIZ (RESEARCHER OF CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

Paragraph 10 refers to paragraph 9. It used to refer to International Symposium, then after the changes of the amendment, it refers to the Meeting of Secretary Generals. It should be decided by the floor whether it is important to state it here. If it is not, it is fine. But, let us be consistent, whether we want to refer to International Symposium, paragraph 9 or whether to refer to Meetings of Secretary Generals in paragraph 8. Because the members who attend the MSG and the the International Symposium the number is different.

**270. CHAIRPERSON: M. GUNTUR HAMZAH (SECRETARY GENERAL OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF INDONESIA)**

I think it would be better if we just delete this paragraph to prevent the issue, let us just delete paragraph 10. Because the attending state can be seen from the list of signatories of the meeting of the Secretary Generals Meetings. The signatures of the minutes of the meeting are sufficient to reflect the number of the attendees.

If there is none of other input, we can close this session, the session for Minutes of Meeting. And we are at the end of the meeting. The conclusion of the meeting will be conveyed to Head of each delegation, each delegation, and we are now going to sign the Minutes of the Meeting together. The organizing committee perhaps has already prepared the signing table for signing this Minutes of Meeting.

I now invite on alphabetical order to come forward and sign the Minutes of Meeting. The host or Master of Ceremony will also guide the procession for signing this Minutes of Meeting (MoM). I hereby end the Meeting of Secretary Generals, I would like to extend my gratitude to all members, to all Secretary Generals, and all participants, who have allocated their time for us together here and concluded on several matters conveyed in this meeting which will serve as the material or feed for the meeting tomorrow, the BoMM.

I again thank you all, all Secretary Generals, delegations, ladies and gentlemen, who are here following this meeting. Thank you. I close the meeting by reciting praise to God Almighty. May peace and prosperity be upon you. Good afternoon. I now give the floor back to MC. Thank you.

## **271. MASTER OF CEREMONY I: RAHMAT IDRIS**

The Constitutional Courts of Republic of Indonesia, Professor Dr. M. Guntur Hamzah, S.H., M.H. Secretary Generals, Delegates, Ladies and Gentlemen, as we wait for the finalizing draft from our colleagues before we proceed to the signing of the Minutes of Meeting (MoM).

Delegates, Ladies and Gentlemen, as we give a few minutes to our colleagues to prepare the finalized draft of the minutes of meeting, we are delighted to inform you, that we hope you meet our invitation this evening as we invite all of our delegates to please join us to retrace the beautiful villages of the Javanese people, traditional music and traditional menus, as we invite you for an exquisite dining experience at Omah Sinten Resto, which will take place at 7.30 PM this evening. We look forward to seeing all delegates, secretary generals, at Omah Sinten Resto this evening for a memorable dining experience. And the departure, to the venue will be set in accordance with your own respective hotel location.

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**MINUTES OF MEETING OF THE SECRETARY GENERALS**

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**MINUTES OF MEETING**

**MEETING OF THE SECRETARY GENERALS**

**7 August 2017**

1. The Meeting of the Secretaries-General (“the Meeting”) of the Association of Asian Constitutional Court and Equivalent Institutions (“the Association”) was successfully held in Solo, Central Java, Indonesia, on 7 August 2017. The Meeting was chaired by the Secretary General of the Constitutional Court of the Republic of Indonesia, Prof. Dr. M. Guntur Hamzah and was attended by the participants to the Meeting (List of Participants attached as **Annex I**).

**Opening**

2. The Opening session of the Meeting was attended by the President of AACC, Prof. Dr. Arief Hidayat SH, MS, Chief Justice of the Constitutional Court of the Republic of Indonesia. The President officially opened the Meeting and delivered his opening remarks. In his opening remarks, the President welcomed the participants to the Meeting and highlighted among others that the Association is embracing a new chapter since its establishment in 2012, whereby in 2016 the members agreed on the establishment of a Joint Permanent Secretariat for the Association, a decision that was taken in a consensual and collective manner.
3. In 2016, it was agreed that the Constitutional Court of the Republic of Indonesia would assume the responsibility of Secretariat for Planning and Coordination, the Constitutional Court of the Republic of Korea would be responsible for Secretariat for Research and Development; and the Constitutional Court of Turkey for the Center for Training and Human Resources Development. He stated that today’s meeting saw the first implementation of the Association’s amendment to the Statute in 2016, with Russian being used as an official language of the Association.
4. The President further brought the Meeting’s attention to the following issues:
  - Progress report on the establishment of respective secretariats since 2016;
  - Administrative and substantive roles that have been taken to date in supporting the Association;
  - Rules and mechanism that should be envisaged in the respective permanent secretariats;
  - Management and development of human resources;
  - Development of coherent programs and activities among the secretariats; and
  - Election mechanism for presidency that could be fostered for the effective implementation of the decisions taken by members of the Association.





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5. The President stressed the importance of the Association exploring the possibility of collaborating with the Conference of Constitutional Jurisdictions of Africa (CCJA), including through the establishment of a Memorandum of Understanding between the two organizations. He concluded by accentuating his wish that the Meeting of the Secretaries-General could arrive at fruitful results and deliverables.

**Adoption of Agenda**

6. The Meeting adopted the Agenda as appears in **Annex II**.

**Report from the Secretary-General of the Constitutional Court of the Republic of Indonesia Regarding the Preparation of the Board of Members Meeting (BOMM) on 8 August 2017**

7. The Meeting was briefed by the Indonesian Delegation on 6 activities to be held as part of the AACC meeting in Solo, Central Java, on 7-11 August 2017. These activities namely the Meeting of the Secretaries-General (MSG), the Boards of Members Meeting (BOMM), International Symposium, General Lecture, Call for Paper, and Cultural Programs.
8. During MSG and BOMM, several key agendas will be discussed such as the progress of the permanent secretariats establishment, the preparation of AACC's participation at the World Conference on Constitutional Justice (WCCJ) Congress in Lithuania on 11-14 September 2017, and election of the new term President of the AACC.
9. The International Symposium will be held on 9-10 August 2017 with the theme "Constitutional Court as the Guardian of Ideology and Democracy in Pluralistic Society". This will be followed by cultural programs held at the Borobudur Temple, Yogyakarta, on 11 August 2017.

**The Preparation of BOMM and the 4<sup>th</sup> Congress of WCCJ**

10. The Indonesian Delegation took the opportunity to report to the Meeting on the Association's preparation to the World Conference on Constitutional Justice in Lithuania, which would be held on 11-14 September 2017. As agreed in BOMM last year, the Association decided to assign a representative from Korea as a keynote speaker, a representative from Azerbaijan as a moderator and a representative from Indonesia as a rapporteur. On this note, the Korean Delegation informed the Meeting that Acting President, Mr. Yi-Su Kim would assume the role of keynote speaker. The Russian Delegation also took the floor and indicated that it will give information during BOMM concerning a situation that it encounters with regard to the Lithuanian Government's position on Russia's participation at the World Conference.



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11. During the discussion, Delegations of Azerbaijan, Malaysia, Kazakhstan and Kyrgyzstan mentioned that they will also participate at the WCCJ on the basis of the individual capacity as members to the WCCJ.

**Discussion on the progress of the Permanent Secretariat Establishment**

12. The Chair gave opportunities to Korea, Indonesia and Turkey as hosts of the permanent secretariats to update the Meeting on the development and progress of each secretariat.
13. The Meeting was informed by Mr. Yong Hun Kim, Secretary-General of the Constitutional Court of the Republic of Korea, of the progress made with regard to the establishment of the Permanent Secretariat of Research and Development (SRD) in Seoul. The Secretariat in Korea has also appointed representatives from other members of the Association in its structure of organization, where a representative from Malaysia holds the position of Deputy Secretary and a representative from Kazakhstan as an advisor (the presentation appears as **Annex III**).
14. Set-up and substantive work has also been carried out by SRD in the form of staff recruitment and office establishment, as well as funding programs to facilitate the involvement of AACC member institutions. In late June 2017, SRD co-sponsored an international conference on human rights, rule of law and legal culture in Seoul. It presented three areas of work and the working method of AACC SRD, the details of which can be found on AACC SRD achievement and concepts, which was distributed beforehand.
15. With a view to moving forward, the Secretary-General emphasized the importance of establishing effective channels of communication between the AACC SRD and each AACC member among others to draw expertise of each member institution. The input will then be made as the basis of research projects. To this view, it is suggested that each AACC institution nominate one liaison officer in charge of communication with SRD. The SRD has also made a *secondment* program and made funding available to seconded officers interested in completing a master's degree programme at the Seoul National University.
16. The Indonesian Delegation briefed the Meeting that an office has been dedicated as the Permanent Secretariat for Planning and Coordination and it is currently located at the Ground Floor of the Constitutional Court of the Republic of Indonesia. Not only has it been operational, but the Constitutional Court of Indonesia has secured both financial support and legal basis for the Secretariat, through the issuance of a recent Presidential Decree. A website has also been developed for the Secretariat and further improvement will be carried out.
17. The Permanent Secretariat for Planning and Coordination has also arranged work plans to coordinate International Activities of members of AACC. The Permanent Secretariat



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will arrange annual calendar of events of the AACC Members. Therefore, Indonesia encouraged each member to share data on their international activities. The Secretariat will distribute the information to all member states and will also be published in the website, such as coordination of liaison officer of AACC. The Secretariat will invite Liaison Officers to attend a working level meeting to discuss current issues that deserve special attention such as amendments to the Statute (the presentation of Indonesian Delegation attached as **Annex IV**).

18. The Turkish Delegation briefed the meeting that it has organized various courses including last year's Summer School, which was focused on the theme of right to respect private life. This year, Turkey's Constitutional Court will organize a Summer School in October with migration law as its central theme, reflecting and depicting on the current situation and challenges faced in Europe. He also informed the Meeting that simultaneous translation in Russian language will be provided during the summer course.
19. During the discussion, the Kazakhstan Delegation inquired whether there has been a translation to Russian of the last BOMM's decisions in 2016, since it has not seen one from the current AACC's website. As a response, the Chair informed the Meeting that although the amended Article 5 of the Statute provides that "*Final documents in the framework of the Association's activity shall be adopted in English unless the Board of Members decides otherwise*", he nevertheless has obtained confirmation from the Indonesian Delegation, as the host of the Permanent Secretariat of AACC, that it will also provide translation in Russian of the BOMM's decision last year. The translation shall be prepared within a reasonable period of time in accordance with the amended Article 5 of the Statute.
20. The Russian Delegation encouraged the Association that any progress and reports of the activities of each permanent secretariat should be regularly disseminated to members beyond annual AACC meetings. In the same vein, the Kazakhstan Delegation proposed that names of liaison officers could be inscribed online to facilitate communication among the liaison officers.
21. The Chair concluded the discussion by echoing the importance of members of AACC to utilize fully the established permanent secretariats as well as the appointment of liaison officers for daily tasks.

**Election of the new term President of the AACC**

22. The Meeting has listened to all Delegations' positions on the election of the new term President of the AACC. In the absence of strong indication of any country to be voluntarily nominated at the level of Secretaries-General, the Meeting discussed various election mechanisms for the new term President. Such mechanisms include the following:



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- Voluntary basis ;
  - Regional basis;
  - Alphabetical order;
  - Joint Presidency;
  - Permanent Secretariats to carry out the relevant duties in the absence of a new elected President.
23. It transpired from the Meeting that voluntary election would be preferable to the other mechanisms suggested. However, a number of countries also supported the suggestion of rotating presidency by alphabetical order.
24. With regard to suggestions of several member countries that Malaysia take the next presidency, the Delegation of Malaysia will give their views on this matter during BOMM.
25. The Meeting also discussed the proposal of Azerbaijan regarding reasonable financial contributions to be proportionally shared among all members that would facilitate the work of the Presidency. Several ideas highlighted the importance of drawing experience from other equivalent organizations, in particular from the Venice Commission of the Council of Europe as regards the World Conference on Constitutional Justice, and the European Conference of Constitutional Courts.
26. The Meeting notes strong support from member countries to the next Presidency. Moreover, the Permanent Secretariats will also render their full support and service for the successful term of the next Presidency of the Association.

**Other Matters**

27. On other issues, the Chair brought the attention of the Meeting to discuss the possibility of signing a MoU between the Association and the CCJA. It was also suggested that Indonesia as the Permanent Secretariat for Planning and Coordination may represent the Association to sign the MoU. However the MoU should be discussed at the BOMM.
28. The Russian delegation drew attention to the necessity of using only the correct geographical map for decoration of the Association's events.

**Adoption of Minutes of Meeting**

29. The Meeting adopted Minutes of Meeting.

**PROCEEDING**  
**MEETING OF THE SECRETARY GENERALS**  
THE ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS AND EQUIVALENT INSTITUTIONS  
Solo, Indonesia , 7<sup>th</sup> August 2017

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**ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS  
AND EQUIVALENT INSTITUTIONS**  
Solo, Central Java



Association of Asian Constitutional Courts  
and Equivalent Institutions

**Closing**

30. The Meeting was concluded with a signing of the Minutes of Meeting.

Rauf Guliyev  
Secretary General  
of the Constitutional Court  
of the Republic of Azerbaijan

M. Guntur Hamzah  
Secretary General  
of the Constitutional Court  
of the Republic of Indonesia

Bakyt Nurmukhanov  
Secretary General  
of the Constitutional Council  
of the Republic of Kazakhstan

Yong Hun Kim  
Secretary General  
of the Constitutional Court  
of the Republic of Korea

Marat Dzhamarkulov  
Secretary General  
of the Constitutional Chamber of the  
Supreme Court of the Kyrgyz Republic

Aslam bin Zainuddin  
Deputy Chief Registrar  
of the Federal Court  
of Malaysia

PROCEEDING  
MEETING OF THE SECRETARY GENERALS  
THE ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS AND EQUIVALENT INSTITUTIONS  
Solo, Indonesia , 7<sup>th</sup> August 2017



ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS  
AND EQUIVALENT INSTITUTIONS  
Solo, Central Java



Association of Asian Constitutional Courts  
and Equivalent Institutions

Yondonjugnai Unuborgil  
Advisor at Chairman's Office  
of the Constitutional Court  
of Mongolia

Hla Myo  
Deputy Director  
of the Constitutional Tribunal  
of the Republic of the Union of Myanmar

Vladimir Sivitskiy  
Head of the Secretariat  
of the Constitutional Court  
of the Russian Federation

Chaowana Traimas  
Advisor on Academic  
of the Office of the Constitutional Court  
of the Kingdom of Thailand

Abdulah Çelik  
Chief Rapporteur Judge  
of the Constitutional Court  
of the Republic of Turkey



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**ANNEX**

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**MAHKAMAH KONSTITUSI  
REPUBLIK INDONESIA**

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**SPEECH OF CHIEF JUSTICE OF THE CONSTITUTIONAL COURT  
OF THE REPUBLIC OF INDONESIA ON THE OPENING MEETING  
OF THE SECRETARY GENERALS OF ASSOCIATION  
OF ASIAN CONSTITUTIONAL COURTS  
AND EQUIVALENT INSTITUTIONS  
Solo, 7<sup>th</sup> August 2017**

**On God's behalf.**

**Assalamualaikum wr. wb.**

**May peace and prosperity be upon you, all.**

**Good greeting to you, all.**

- **Distinguished Secretary Generals of The Constitutional Court or Equivalent Institutions, Country Members of AACC,**
- **Members of Delegation.**
- **Ladies and Gentlemen.**

I would like to invite you all, to convey our gratitude to God almighty, most gracious, most benevolent, because once again on his grace and blessings, we are able to gather here today in good condition.

In this auspicious occasion, I would like, first of all, to bid you welcome to all The Secretary Generals and Members of Delegations, Country Members of AACC. It is an honor for me to once again be here among see you all of the delegations, and ladies and gentlemen in this opening ceremony of the Secretary General Meeting of AACC in this month of August 2017. I would like to also convey that according or in accordance to the resolutions of the congress which was held a year ago in Bali, the meetings of the AACC, the official language to be used is first English and then, second official language is Russia. As a mandate in our statute that we have taken last year and so you can see in the files that you have received, the files of the

meeting, we have Bahasa Indonesia on top because Indonesia is currently the host of this meeting and then followed by the official languages, English, and Russian, which we have agreed upon.

Distinguished Secretary Generals and delegations, the AACC has entered a new chapter with the achievement of a consensus among member countries of the AACC to establish a permanent secretariat in the mid of year 2016 last August in Bali to be precise in Indonesia. This decision was taken unanimously, and the Constitutional Court of the Republic of Indonesia has the role to manage the planning and coordinating division which is based in Jakarta. Whereas the responsibilities for research and development division will be managed by the Constitutional Court of Korea. This division is based in Seoul.

In addition to that, Board of Members meeting also decided that the Turkish Constitutional Court is appointed as the central institution for the development and capacity improvement of human resources for the court members of the AACC. The permanent joint secretariat is established based on a common spirit which is to provide support and optimum support for the success of the achievement of AACC's vision, mission, and objectives as incorporated in the association's statute.

Distinguished delegates ladies and gentlemen, after the establishment of permanent secretariat of the AACC, there are number of matters that need to be discussed within the Secretary General Meeting forum as a follow-up to the establishment of the permanent secretariat of the AACC in 2106 in Bali, Indonesia which consist of first, on reporting of progress for the preparation of permanent secretariats in South Korea and Indonesia as well as Turkey to implement the resolutions or decisions that we have taken in Bali last year. Number two, on the role of the permanent secretariat to support administrative and substantial functions to the AACC. Number three, to establish a working system and working mechanism for the permanent secretariat. Number four, to establish human resources development and management system for the permanent secretariat. Number five, to develop and establish the permanent secretariat activities and programs within the upcoming year. And number six, on the mechanism of decision making for the country members of the AACC.

All of these six points, shall be discussed and decided within the meeting of the Secretary General Forum as well as other matters that are related to the chairmanship of the AACC in the future and one addition agenda, I as the President of the AACC, I have gone through a lot of discussions with our colleagues in Africa the CCJA, the African Constitutional Court Association. There is this common spirit which is to promote the constitutional court within the AACC and the African Association, and so therefore in this forum, I would like to kindly invite the Secretary General Forum to also discuss about the possibility of making cooperation and

perhaps establishing a memorandum of understanding with the African Association and the symposium will also be attended by the President of the African Association who is currently the President of CCJA.

The Secretary General from the African Association will also be present in this symposium, and so therefore if this forum, the forum of the Secretary-General, can discuss about this matter more concretely. We can then raise the resolution to the Board of Members meeting tomorrow morning. And, in this forum also the Secretary-General is expected to achieve concepts of all the points that I have conveyed in the above and therefore let us together formulize and develop all necessary and strategic measures to optimize and use the role of AACC in the future. This is very important, because in my opinion, AACC has to provide benefit not only for the members, but also for the development of knowledge and the protection of human rights, and the development of law abiding countries, which is, in Asia and in Africa. And in this forum also, the Secretary-General of Constitutional Court of Republic of Indonesia will deliver the preparation of the permanent secretariat for planning and coordinating division based in Jakarta. Those would be my opening remarks, I again bid you welcome and would like to congratulate you for this meeting. And hopefully this meeting can achieve resolution for the interest of all of us. May God almighty, most gracious most benevolent, bless our meeting today, and before I end my remark, on behalf of President of AACC, allow me to officiate this meeting, and formally open this meeting.

Thank you. Waalaikumsalam warahmatullahi wabarakatuh. May peace and prosperity be upon you.

Thank you, honorable Chief and President, for your opening remark and also for officially opening the meeting of the Secretary-General this meeting and next in the agenda, before we begin with the first session, I think it is great if we can take a group photo. So, there'll be a photo session for head of delegation. I kindly invite to come forward, so that we can have a photo session. And the photo session will also be followed by all members of delegation. Before we can proceed with our meeting. We kindly invite members of delegation and head of delegation first.



# Permanent Secretariat for Planning and Coordination Progress Report

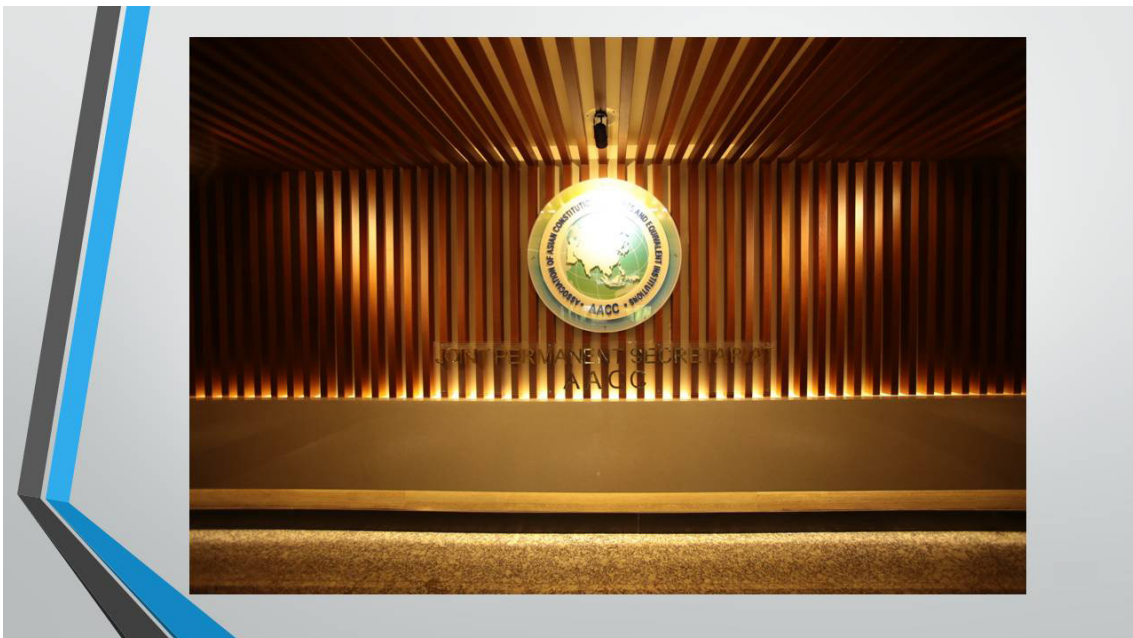
Constitutional Court of the Republic of Indonesia

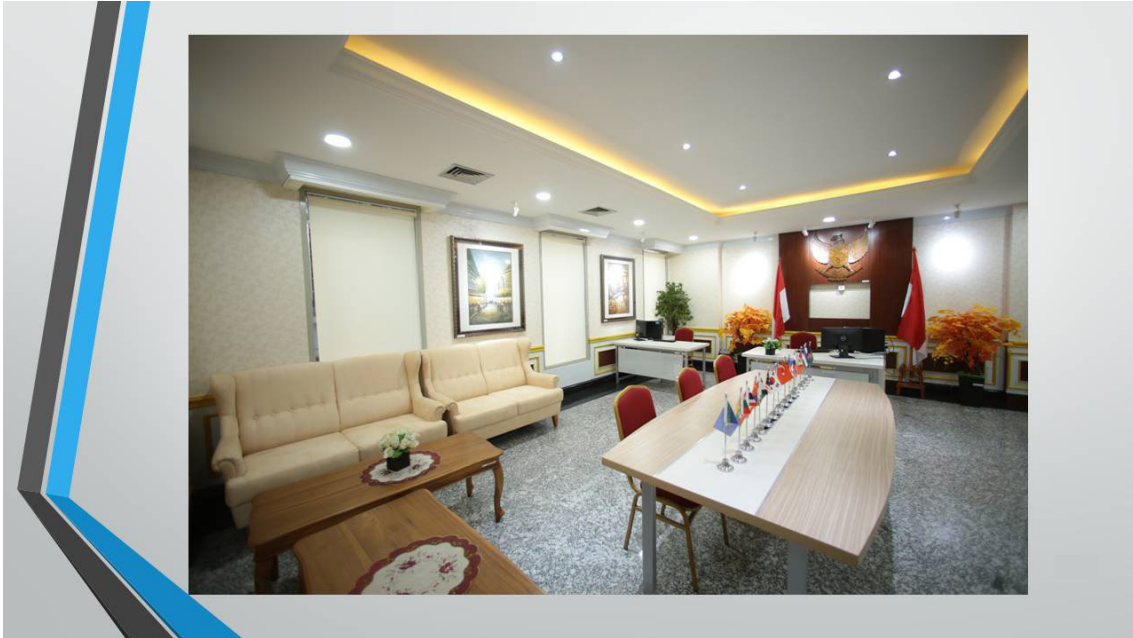
## 1. Facilities and Infrastructure

- AACC's Office
  - Location:  
Ground Floor,  
Constitutional Court of the Republic of Indonesia,  
Jalan Medan Merdeka Barat 6,  
Central Jakarta, Indonesia

**PROCEEDING**  
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## 2. Legal Basis

- Presidential Decree as a legal basis for establishing a permanent secretariat in Jakarta and financial supports.
- Allocation:
  - Operational cost
  - Coordination among secretariats



### 3. Progress

- **AACC's Website Update**
  - Member's Profile
  - Calendar Event
  - Decisions and Publications of each member institution
  - Digital library
- **Preparation of AACC's Meetings**
  - Technical and substantial preparation
  - Sending invitation and confirming the attendance of members and other invited institutions
  - Maintaining relations with media partners
  - Follow up of MSG, BOMM, and Congress' outcomes
- **External Relations Support**
  - Participation on international forums
  - Dissemination of AACC report

### 4. Working Plan

Permanent Secretariat for Planning and Coordination has arranged several programs:

- Coordination among members concerning international agenda
- Setting up working level meeting among Liaison Officer from all members





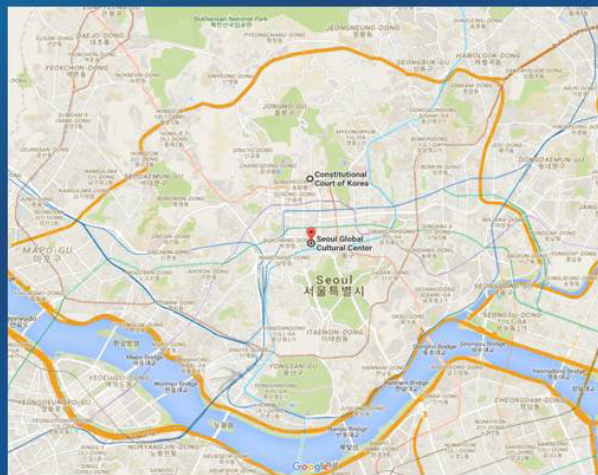
# AACC Secretariat *for* Research & Development

**AACC Meeting of Secretary Generals  
2017. 8. 7.**

## Introduction

Office

15F Seoul Global Center (1.2km away from CCK)





## Concepts

AACC  
Secretariat for Research and Development

3

### Concept(1) : Function

#### Function & Role

- Function (Art. 22 of the Statute as amended in Aug. 2016)
  1. Planning, conducting and coordinating joint research activities among members and with third parties;
  2. Conducting studies and formulation of proposals for research activities in the sphere of constitutional justice;
  3. Publishing an int'l journal on the outcome of the research activities conducted;
  4. Constructing and managing a database of profiles and key decisions of Members;
  5. Conducting research and development activities for the promotion of constitutionalism; and
  6. Organizing int'l conferences, seminars and for a at Justice/Judge level and researcher level on research themes chosen.
- Become a valuable source of knowledge and advice, serving as an engine for the growth and strengthening of constitutionalism in Asia
- Facilitate AACC members' joining the global conversation on Constitutional governance

## Concept(2) : Areas of Work

### Areas of Work

- AACC SRD will function as a research unit, divided into three groups on a thematic basis
  - Constitutional Adjudication
  - Fundamental Rights
  - Global Constitutionalism
- Future seconded research officers will join one of the groups, depending on their background and expertise
- Boundaries between the groups will remain flexible, as the nature of the research themes are interrelated

## Concept(2) : Areas of Work

### Constitutional Adjudication

- Comparative study of constitutional adjudication mechanisms(e.g. constitutional review, impeachment, competency disputes, dissolution of political parties, constitutional complaint) of member institutions of the AACC
- Key issues will concern to what extent constitutional adjudication mechanisms exist and how they operate in practice

## Concept(2) : Areas of Work

### Global Constitutionalism

- Comparative study of key pillars of constitutional government and values of constitutionalism from a global perspective
- Investigation into regional and global challenges and opportunities in realizing the ideas, especially how specific constitutional principles operate in diverse constitutional and legal cultures
- Further research areas may be added in the future, especially through the input of seconded AACC research officers

## Concept(2) : Areas of Work

### Fundamental Rights

- Comparative study of how specific fundamental rights are protected by AACC member institutions
- Apart from surveying which rights are protected by the respective constitutional texts and legislation, how fundamental rights are protected via constitutional case law will also form a main aspect of research

## Concept(3) : Research output & Working Method

### Research output & Working method

- Fact files and case law collections
  - publish fact files of AACC member institutions, as well as case law collections on the judicial interpretation of specific rights in AACC member courts
  - fact files, reports and studies (see below) will be partly based on questionnaire responses from AACC member institutions
- Reports & Studies
  - in-depth studies on issues of constitutional adjudication, fundamental rights and global constitutionalism
  - will be conducted and published either online or in hard copy
  - include comments and analysis by Justices and researchers of AACC member institutions, working together with researchers and other staff of AACC SRD

## Concept(3) : Research output & Working Method

### Research output & Working method

- Journal
  - publish an international journal on the research activities conducted, a firm mid-term goal of AACC SRD
- Database
  - primarily designed for the search and accessibility of constitutional case law and constitutionally relevant legislation in force in the respective jurisdictions of AACC members
  - all the above-mentioned research output may also be categorized and made available in this online database, which will be part of the AACC SRD website ([www.aaccrd.org](http://www.aaccrd.org))
  - expected to be opened in October this year



## Closing

AACC

Secretariat for Research and Development

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**Thank You !**



**MEETING OF THE SECRETARY GENERALS**  
**ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS**  
**AND EQUIVALENT INSTITUTIONS**  
**7 August 2017, Solo, Central Java, Indonesia**



Association of Asian Constitutional Courts  
and Equivalent Institutions

## LIST OF PARTICIPANTS

- |    |                    |                                |  |
|----|--------------------|--------------------------------|--|
| 1. | Indonesia          | a. Mr. M. Guntur Hamzah        | Secretary General<br>(Chairperson)                         |
|    |                    | b. Mr. Rubiyo                  | Head of Public Relations<br>and Protocol Affairs<br>Bureau |
|    |                    | c. Mr. Pan M. Faiz             | Researcher   |
|    |                    | d. Ms. Nina S. Djajaprawira    | Advisor  |
|    |                    | e. Mr. Indra Rosandry          | Advisor  |
|    |                    | f. Mr. Adam Tugio              | Advisor  |
|    |                    | g. Mr. Ricky Suhendar          | Advisor  |
| 2. | Azerbaijan         | a. Mr. Rauf Guliyev            | Secretary General  |
| 3. | Kazakhstan         | a. Mr. Bakyt Nurmukhanov       | Secretary General  |
|    |                    | b. Mr. Kuanysh Aldongarov      | Head of Personnel and<br>Documentation<br>Department       |
| 4. | Korea              | a. Mr. Yong Hun Kim            | Secretary General  |
|    |                    | b. Ms. Kook Hee Lim            | Deputy Director<br>International Affairs<br>Division       |
| 5. | Kyrgyz<br>Republic | a. Mr. Marat Dzhamankulov      | Adviser to the Chairman                                    |
| 6. | Malaysia           | a. Mr. Aslam Zainuddin         | Deputy Chief Registrar                                     |
|    |                    | b. Mr. Mohd. Aizuddin Zolkeply | Judicial Officer   |



**MEETING OF THE SECRETARY GENERALS**  
**ASSOCIATION OF ASIAN CONSTITUTIONAL COURTS**  
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**7 August 2017, Solo, Central Java, Indonesia**



Association of Asian Constitutional Courts  
and Equivalent Institutions

- |     |          |   |   |
|-----|----------|---|---|
| 7.  | Mongolia | a. Mrs. Yondonjugnai Unuborgil                      | Advisor at Chairman's Office  |
| 8.  | Myanmar  | a. Mr. Hla Myo                                      | Deputy Director   |
| 9.  | Russia   | a. Mr. Vladimir Sivitskiy<br>b. Mr. Egor Bushev     | Head of Secretariat<br>Counsellor, Department of International Relations and Research of Constitutional Review Practice |
| 10. | Thailand | a. Mr. Chaowana Traimas<br>b. Mr. Pitaksin Sivaroot | Advisor on Academic<br>Constitutional Court<br>Academic Officer / Interpreter   |
| 11. | Turkey   | a. Mr. Abdulah Çelik                                | Chief Rapporteur Judge  |

