



Association of Asian Constitutional Courts
and Equivalent Institutions

BALI DECLARATION ON THE PROMOTION AND PROTECTION OF CITIZENS' CONSTITUTIONAL RIGHTS

The Third Congress of the Association of Asian Constitutional Courts and Equivalent Institutions

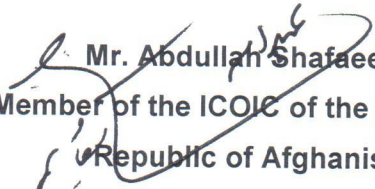
Bali, Indonesia, 12th of August 2016

1. We, the members of the Association of Asian Constitutional Courts and Equivalent Institutions (AACC), held the Third Congress in Bali, Indonesia, on 11th and 12th of August 2016 under the main theme of “The Promotion and Protection of Citizens’ Constitutional Rights”.
2. The Congress was attended by delegates from constitutional courts and equivalent institutions and regional or language based groups of constitutional courts/institutions in the capacity as members and observers as well as guests of the AACC. It presented a notable opportunity to engage in a fruitful discussion, and to share knowledge and experience concerning mechanisms in the promotion and protection of citizens’ constitutional rights as well as the role of constitutional courts and equivalent institutions particularly through landmark decisions.
3. In the light of our past experiences and findings of the present Congress, we declare as follows:
 - 3.1 We reaffirm that constitutional courts and equivalent institutions have important roles for protecting citizens’ constitutional rights against infringement through their efficacious decisions. We believe that constitutional courts and equivalent institutions play an instrumental role in

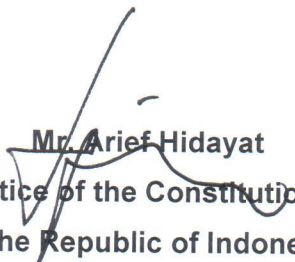
properly guaranteeing people's sovereignty by promoting human rights and constitutional principles for the maintenance of the democratic systems of government.

- 3.2 We believe in the constructive collaboration of a regional cooperation and therefore invite other constitutional courts and equivalent institutions in Asia to stand with us shoulder to shoulder in the AACC to uphold the independence of the constitutional courts and equivalent institutions, for the protection of human rights, democracy, and the rule of law.
- 3.3 We uphold the principle that constitutional courts and equivalent institutions as one of the guardians of constitutional democracy should be free from interference by other branches of the state powers. Furthermore, we deplore any unconstitutional and undemocratic attempts aiming to abolish the rule of law and democracy in any country.ⁱ
- 3.4 We resolve our collective efforts in strengthening the functions of AACC by establishing a permanent joint secretariat of the AACC. The new established Secretariat is envisaged to foster the process of achieving the AACC's objectives in promoting the protection of human rights, the guarantee of democracy, the implementation of rule of law, and the independence of constitutional courts and equivalent institutions, as well as providing platform for cooperation and exchanges of experiences and information among members.
- 3.5 Appreciating the Constitutional Court of the Republic of Indonesia for successfully hosting the Third Congress of the AACC, the Board of Members gives mandate to the Constitutional Court of the Republic of Indonesia to continue as the term President of the Association for a further one year.


Signed on 12th of August 2016 in Bali, Indonesia by:




Mr. Abdullah Shafae
Member of the ICOIC of the Islamic
Republic of Afghanistan



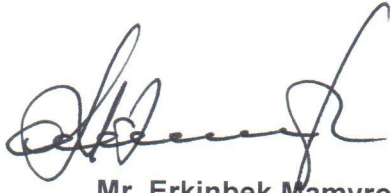
Mr. Arief Hidayat
Chief Justice of the Constitutional Court
of the Republic of Indonesia




Mr. Igor Rogov
Chairman of the Constitutional Council
of the Republic of Kazakhstan



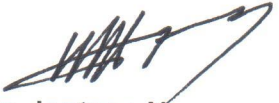
Mr. PARK Han-Chul
President of the Constitutional Court
of the Republic of Korea




Mr. Erkinbek Mamyrov
Chairman of the Constitutional Chamber
of the Supreme Court
of the Kyrgyz Republic



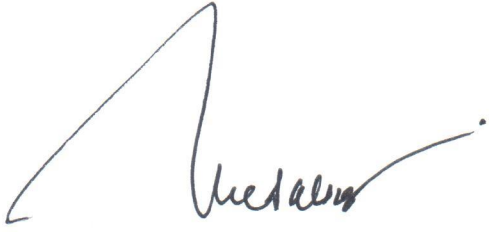
Tun Arifin bin Zakaria
Chief Justice of the Federal Court
of Malaysia



Mr. Jantsan Navaanperenlei
Chairman of the Constitutional Court
of Mongolia



Daw Hla Myo Nwe
Member
of the Constitutional Tribunal
of the Republic of the Union of Myanmar



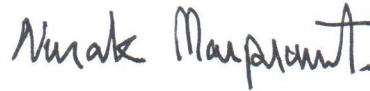
Honorable Maria Lourdes P. A. Sereno
Chief Justice
of the Supreme Court of the Philippines
By: Atty. Ma. Lourdes E. B. Oliveros
Chief Justice Staff Head



Mr. Gadis Gadzhiev
Judge of the Constitutional Court
of the Russian Federation



Mr. Mahkam Mahmudzoda
Chairman of the Constitutional Court
of the Republic of Tajikistan



Mr. Nurak Marpranet
President of the Constitutional Court
of the Kingdom of Thailand*
(with reservation to the 2nd sentence of paragraph 3.3)



Mr. Zühtü Arslan
President of the Constitutional Court
of the Republic of Turkey

ⁱ *With reservation from the Delegation of Thailand concerning the 2nd sentence of paragraph 3.3, (We uphold the principle that constitutional courts and equivalent institutions as one of the guardians of constitutional democracy should be free from interference by other branches of the state powers. Furthermore, we deplore any unconstitutional and undemocratic attempts aiming to abolish the rule of law and democracy in any country)*