

ADDRESS BY HON. PETER S. SHIVUTE, CHIEF JUSTICE OF THE
REPUBLIC OF NAMIBIA, AT THE INTERNATIONAL CHIEF JUSTICE
FORUM, JAKARTA, INDONESIA, 10 AUGUST 2023

Your Excellency, Anwar Usman, Chief Justice of the Constitutional Court
of the Republic of Indonesia

Honourable Chief Justices

Ladies and Gentlemen:

1. I am greatly honoured to have been invited to attend this
International Chief Justice Forum and to address this esteemed and
most crucial dialogue in the beautiful city of Jakarta, Indonesia. I am
equally honoured to have been given this opportunity to contribute
to the discussion where we take stock of the progress made, identify
the challenges facing our respective jurisdictions and share

solutions towards reaching our collective goal of upholding constitutional democracy.

2. Before I proceed, allow me to express my profound gratitude to the Constitutional Court of Indonesia, for providing this platform. By the same token, I wish to acknowledge the excellent arrangements extended to me and my delegation. As always, the warmth and hospitality of the Indonesian people is unmatched.
3. I also wish to congratulate the Constitutional Court of the Republic of Indonesia on its 20th Anniversary. It is a privilege to witness the celebration of this milestone of the Court's existence.

Your Excellencies, ladies and gentlemen

4. Our world is facing many challenges in ensuring strong and resilient democracies, and it is imperative that we contemplate the path

ahead for strengthening democracy through constitutional jurisdictions. Today, I would like to share with you some insights and future directions that can pave the way for a more robust democratic framework. First and foremost, we must acknowledge the current challenges that our democracies face. One of the pressing issues is the rise of populism, which often undermines the principles of constitutionalism and the rule of law. Populist movements tend to exploit people's fears and emotions, often leading to policies that are inconsistent with established constitutional rights and protections. As Chief Justices, it is our duty to safeguard the integrity of our constitutional frameworks and counter such tendencies with a steadfast commitment to upholding the principles of justice and equality.

5. Another challenge we face is the preservation of fundamental rights in the digital age. The rapid advancements in technology have revolutionised the way we communicate and participate in democratic processes. However, they have also given rise to concerns over privacy, data protection, and the manipulation of information. As constitutional jurisdictions, we must adapt our legal frameworks to address these issues, ensuring that citizens' rights are protected without stifling technological innovation.

6. Additionally, we cannot ignore the threats of corruption to democratic governance. Corruption erodes trust in public institutions and undermines the rule of law. It weakens the integrity of our constitutional jurisdictions and hampers the effective functioning of our democracies. As Chief Justices, we have a pivotal role to play in combating and preventing corruption, both through impartial

adjudication of corruption cases and by championing transparency and accountability within our systems.

7. Now let us turn our attention to the future and the directions we can take to strengthen democracy through constitutional jurisdictions.

One essential aspect is the promotion of an independent judiciary.

It is imperative that we preserve judicial independence and protect judges from political or other undue pressure or interference. By ensuring an impartial judiciary, we can uphold the rule of law and guarantee that constitutional rights are safeguarded for all citizens, irrespective of their social or economic status.

8. Furthermore, we must embrace technological advancements to enhance the accessibility and efficiency of our judicial systems. By adopting digital platforms and e-filing systems, we can improve access to justice for all citizens, including marginalised

communities. It is vital that our court processes incorporate modern technologies, ensuring faster and more efficient dispute resolution mechanisms while maintaining the highest standards of fairness and due process.

9. Moreover, education and capacity building are crucial to strengthening constitutional jurisdictions. We must invest in ongoing professional development programmes for judges, lawyers, and court staff to enhance their skills and knowledge of the importance of a nation's Constitution. Additionally, educating citizens on their rights, the rule of law, and the significance of constitutional democracy can empower them to actively engage in democratic processes and hold their governments accountable.

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ernational cooperation among constitutional jurisdictions is vital for the advancement of democracy worldwide. By fostering collaboration and sharing best practices, we can promote global understanding of constitutionalism and contribute to the development of a stronger international legal framework. Through dialogues, such as this one, we can learn from each other's experiences and consolidate our collective efforts in upholding democracy and the rule of law.

11. In conclusion Honourable Chief Justices, the challenges we face in safeguarding democracy through constitutional jurisdictions are immense. However, by addressing the rise of populism, protecting fundamental rights in the digital age, combating corruption, upholding the judicial independence, leveraging technology, investing in education, and promoting international cooperation, we

can navigate the current landscape and shape a future that strengthens democratic governance.

12. Let us stand together, committed to ensuring that our constitutional jurisdictions remain steadfast in their pursuit of justice, equality, and the preservation of democratic ideals. I am confident that, with our collective efforts, a brighter and more robust future awaits us all.

Thank you.