

Speech by the President of the Constitutional
Court at the opening of the Sixth Congress of the
World Conference on Constitutional Justice

Dear President Emeritus of the Venice Commission, thank you very much for your words and for all the support you have given us during the long journey we have taken together to bring this Sixth Congress of the World Conference on Constitutional Justice to a successful conclusion.

Dear President of the Venice Commission, thank you very much for your presence at this event, as co-organizer of this Sixth World Congress.

Dear Minister for the Presidency, Justice and Parliamentary Relations of the Kingdom of Spain, thank you very much for your words and for your

presence at this event, which demonstrate the Spanish Government's commitment to defending democracy, human rights and the rule of law.

Honourable Presidents of the Courts and Councils that are members of the World Conference on Constitutional Justice,

Dear colleagues,

Ladies and gentlemen,

As President of the host court, the Constitutional Court of the Kingdom of Spain, it is a real pleasure and a source of great pride to welcome the Sixth Congress of the World Conference on Constitutional Justice, which this year is entitled "Human rights of future generations".

After being elected as the host court in March 2023, we have enthusiastically taken on the great responsibility of bringing here together 85 delegations from constitutional courts, constitutional councils, and supreme courts with constitutional powers from around the world, which are participating in this sixth Congress.

The objective of the World Conference on Constitutional Justice is well known to all. This is about nothing less than promoting constitutional justice as a key element for democracy, the promotion of human rights, and the strengthening of the rule of law.

The Venice Commission has been the main driving force behind this initiative. Since 1996, its goal has been to bring together various regional or linguistic groups of constitutional courts by regularly

organizing the World Conference on Constitutional Justice.

The first of these Congresses, held in Cape Town in 2009, was hosted by the Constitutional Court of South Africa and provided the necessary impetus for the World Conference to be established as a permanent body a few months later.

Since then, these conferences have been held in Brazil, Korea, Lithuania, Indonesia, and now, in Spain.

The high number of participants at each Congress shows the interest of the member courts of the Conference in cooperating and collaborating at supranational levels so as to defend the consolidation of democracy and the strengthening of human rights and the rule of law.

None of this would be possible without the tireless work of the Venice Commission, which holds the Permanent Secretariat of the World Conference and with whom we have co-organized this Congress.

Please allow me to take this opportunity to address your President, Ms. Claire Bazy, your President Emeritus, Mr. Gianni Buquicchio, who is also accompanying me at this table, and your Director/Secretary, Ms. Simona Granata-Menghini, *the alma mater* of the organization.

I would like to congratulate you, in particular, on your efforts to ensure that the World Conference Congresses have been such a resounding success and, more generally, on the important work you do on a daily basis to facilitate dialogue, disseminate the

constitutional and legal experience of your members, and contribute to a common constitutional heritage.

The Constitutional Court of the Kingdom of Spain and the Venice Commission share common objectives, and this harmony of values and purposes is now being realized through the joint organization of the Sixth Congress of the World Conference on Constitutional Justice, which I hope will serve as a meeting place to strengthen international cooperation on constitutional matters and to underscore our shared commitment to the preservation of constitutional justice worldwide.

Furthermore, this event coincides with two very important anniversaries.

On the one hand, the Constitutional Court of the Kingdom of Spain is celebrating its 45th anniversary.

Since it began operating in 1980, this institution has been fundamental to the validity of the 1978 Constitution as the guarantor of Spain's young democracy, the fundamental rights of its citizens, and, in short, the rule of law.

Our Constitutional Court has been a key player in the consolidation of our democracy, as the judge of the constitutionality of laws, the judge of fundamental rights, and the judge of conflicts, both between the various branches of government —the executive, legislative, and judicial— and between the state and the autonomous communities in matters of jurisdiction.

It is also, in accordance with its Organic Law, the supreme interpreter of the Constitution and, in accordance with the Constitution itself, the ultimate guarantor of fundamental rights.

Therefore, you may have noticed that at the entrance to this room, we have a small exhibition on how our institution works and some of the most important moments in our history.

On the other hand, this year, 2025, also marks the 35th anniversary of the Venice Commission. From here, we would like to offer our sincere congratulations on the work carried out as a meeting point between Law and Democracy.

Ladies and gentlemen,

As I said at the beginning of my speech, this Congress will focus on the human rights of future generations.

During the four sessions of today and tomorrow, we will examine this topic from multiple perspectives,

such as the preservation of natural resources and the environment, the preservation of humankind's cultural heritage or access to scientific knowledge and new technologies.

As in each of the previous Congresses, we will also examine the evolution of the independence of constitutional courts in recent years.

To this end, we will be joined by distinguished speakers representing courts and councils from Africa, the Americas, Asia, Oceania, and Europe, whose diverse experiences and perspectives will greatly enrich our discussions.

Our shared purpose is not only to identify the different aspects and challenges that serve as common and cross-cutting denominators in our own constitutional jurisdictions, but also the divergences that may exist between our legal systems and that, in

some way, allow us to take note of the jurisprudential advances of each.

Ultimately, the goal of this exchange is to broaden our global vision, promote the development of collective solutions, and work toward a dignified and just legacy for future generations.

The proposed theme invites us to face what lies ahead and the role our generation can play in it.

There is a social need, but also an obligation, at least an ethical one, to look to the future. An uncertain future, it is true, as they all are, but we must commit ourselves to leaving a satisfactory legacy for future generations.

Our Constitutions are capable of promoting this positive outlook, and it is we, the Constitutional Courts

and equivalent institutions, who are responsible for enforcing their principles and rules. It should be remembered that the jurisprudence of the Constitutional Court can establish a legal framework that lasts for decades, beyond election dates or the political programs of the parties.

The unstoppable advance of new technologies, artificial intelligence, social media, etc., should in no case lead to a reduction in fundamental rights and civil liberties, or a regression in our democracies or the rule of law.

As the President of the European Council, Antonio Costa, said at the United Nations General Assembly in New York last month, democracy is the system that makes peaceful coexistence and political alternation in the exercise of power between different ideological projects possible.

Democracy has no colour, race, or nationality, but guarantees freedom for all those who want to defend freedom, equality, and, ultimately, justice.

But talking about rights, not only to be enjoyed in the present, but also in the future, also means thinking in terms that go beyond the merely formal or material and enter the temporal realm.

In this sense, rethinking rights in light of “intergenerational justice” opens a new phase in the historical discourse on human rights, moving from the static ethics of the individual to the dynamic ethics of a community that is always diverse and always in motion. Consider, for example, the right not to suffer algorithmic discrimination in access to accurate information, or to protect citizens’ personal data, which cannot be subject to extensive surveillance or invasive use.

From the depths of my own convictions, I hope that this Congress will serve to contribute our grain of sand towards a fairer world and more prosperous societies, which can protect themselves from current human rights violations and from whatever may favour them in the future.

I am pleased to affirm the benefits of these global meetings in illuminating our respective paths and in achieving a goal that is common to us all, which is none other than the consolidation of constitutionalism in our different countries.

I would like to conclude by expressing our solidarity with the victims of the terrible floods caused by the floods in the Autonomous Community of Valencia last year. We extend our solidarity, support, understanding, and our desire for truth, justice, and

reparation to those who are entitled to it; to them, their families, and all those affected.

Thank you very much for your attention. I hereby declare the Sixth Congress of the World Conference on Constitutional Justice open.