



6th Congress
of the World Conference on Constitutional Justice
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Speech of Ms Claire Bazy-Malaurie, President of the Venice Commission

Your Majesty,

Mr President of the Constitutional Court of Spain,

Excellencies, Presidents and Justices,

Distinguished guests, dear colleagues and friends,

1. It is an honour to close the Sixth Congress of the World Conference on Constitutional Justice here in Madrid—a city that knows how to hold together tradition and change. Our theme has been as demanding as it is simple: constitutions must be read not only for those who are living now, but for those who will come after us. That shift in perspective touches every area of our work.
2. Over these days, during the Congress and in the margins—the Bureau meeting, the regional and linguistic groups' meetings, the General Assembly—we have done more than exchange papers. We have stress-tested ideas, compared remedies, and built a common vocabulary for decisions that will shape the lives of young people and future generations. If courts are often accused of looking backward to precedent, this Congress has reminded us to look forward with equal discipline.
3. Consider first our duty to safeguard natural resources and the environment. When rivers are over-extracted, forests cleared, soils depleted, courts give effect

to constitutional duties that prevent degradation and protect the public trust. In these cases, proportionality and the precautionary principle are not slogans; they are the tools that keep irreparable damage from becoming the price of convenience.

4. From there, it is a short step to cultural heritage. Heritage is not a museum piece. It is language, memory, archives, sacred sites, performing arts—the living continuity of a people. Our courts protect that continuity against unlawful destruction or appropriation but also navigate the hard places where cultural practices meet universal rights. Protection and openness can be reconciled when our reasoning is careful and our remedies practical.

5. The same balancing instinct guides us at the frontier of science and technology. Access to knowledge and the governance of innovation are no longer niche questions; they define opportunity and power in our societies. We have heard how algorithmic decisions, data collection, and digital infrastructures can entrench inequality if they are left to run on autopilot. Yet constitutions are not obstacles to progress; they are frameworks that direct it. Transparency, accountability, contestability—these are principles that allow innovation to serve human flourishing. As stated by the Venice Commission in one of its opinions “Information disorder (misinformation, disinformation and malinformation) is indeed one of the important issues of these days and there is globally a need to tackle the serious problems of disinformation campaigns, with presumed impact on election results and subsequently on governments and the constitutional order of states”.

6. None of this is sustainable without independent courts. Judicial independence is not a privilege for judges; it is the public’s guarantee that rights will be applied without fear or favor. The pressures are real: attempts to shape appointments for partisan ends, to shrink budgets, to delay or defy execution of judgments, to erode professional morale. Our community’s answer must be steady and concrete—defending the conditions of independence at home and offering support to colleagues abroad who face pressure. When one court is weakened, every judgment elsewhere is a little less secure.

7. This is where institutional tools matter. The Venice Commission’s Rule of Law Checklist has served practitioners and policymakers across regions. It’s being updated now with a dedicated chapter on constitutional justice which will speak directly to the daily decisions that make our courts effective: transparent appointments, stable tenure and resources, reasoned and public judgments. I encourage all members of the WCCJ to use it when it is adopted.

8. Let me also underline the value of *amicus curiae* briefs—one of the most effective ways the Venice Commission cooperates with constitutional courts. The Commission has adopted almost seventy such documents. These submissions do not bind; they inform. They bring comparative constitutional practice, European standards, and the Rule of Law Checklist into a concrete case, distilled with neutrality and methodological care.

9. Throughout our discussions, one thread has been constant: the need to bring the interests of young people and future generations into the courtroom. They have no vote in today's cases, but they bear the weight of our outcomes. We can give them a hearing. To the young lawyers and clerks among us: your instinct for fairness across time is not idealism—it is fidelity to constitutional purpose.

10. I wish to commend all session chairs, speakers, discussants and rapporteurs and the colleagues who distilled the lessons of our debates into clear, actionable conclusions, and to thank, in particular, Vice-President Inmaculada Montalbán Huertas and Director/Secretary of the Venice Commission Simona Granata-Menghini for shepherding our final reflections.

11. If I may add a personal word: constitutional justice has been my professional home. My years on the Constitutional Council of France taught me that our vocation is practical and human. It is the patient work of listening, of reading the text faithfully, of respecting democratic choices, and of drawing a firm line when the constitution's boundaries are crossed. My term as President of the Venice Commission comes to an end this year. I leave the role with gratitude for what we have built together and with confidence in the courage and imagination of this community.

12. Ladies and gentlemen, soon our debates will turn into opinions, dissents, decisions, administrative choices. Some will be cited for decades; others will do quieter work. Their true measure will be found in the lives of those who inherit our choices: in cleaner air, in a language preserved, in a classroom connected to the world, in a courtroom where every voice can be heard.

13. And now, as we close, I offer my respectful thanks to His Majesty the King of Spain for honouring us with his presence and for the example he sets of commitment to constitutional life. I express our deep appreciation to the Constitutional Court of Spain and particularly President Cándido Conde-Pumpido for their gracious hospitality and impeccable organization. My thanks also go to the Secretariat of the World Conference on Constitutional Justice—within the Venice Commission—whose tireless, patient work, in close

partnership with the host court, made this huge event a success. To all regional and linguistic groups of the Conference, every colleague from the 124 member courts: your engagement is what gives this Conference its strength.

14. We do not end with a period; we end with a promise—that constitutional justice will keep faith with the living, and with those yet to live.

Thank you.