

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

Thursday, 30 October, at 5 pm

IFEMA Plenary Hall

Your Majesty,

Honourable Authorities,

Presidents, judges of Constitutional Courts and
Supreme Courts, dear colleagues

Ladies and gentlemen,

Allow me to begin by expressing my
gratitude, on behalf of myself and the
Constitutional Court of Spain, to His Majesty the
King for his presence at this closing ceremony.

Thank you, Your Majesty, for joining us today: Your presence honours our institution and is an eloquent testimony to the Crown's firm commitment to the constitutional values that underpin our democracy.

We are well aware that our Constitution confers upon the King a role that goes beyond the merely ceremonial: You are a symbol of the unity and continuity of the State and a key element in the balance between the different powers.

As an arbiter and moderator, you play an essential role and always do so with neutrality, within the constitutional framework, through discreet but constant work, which contributes decisively to the stability and permanence of our democratic system.

¡Thank you, Your Majesty!

During these days, we have benefited from the valuable participation of representatives from constitutional courts and tribunals from five continents.

Their contributions have demonstrated a very high technical level and profound legal reflection, in line with the magnitude and complexity of the challenges we face.

Despite our different legal, cultural, and social realities, we have found that we share common concerns. All of them converge in the same challenge: to build a legal system that not only responds to the demands of the present, but also guarantees the democratic sustainability of the future and the dignity of the generations that will follow us.

The slogan that has guided this Congress' edition, "Human Rights of Future Generations,"

has not been a mere declaration of intent. It is a direct appeal to our work as constitutional judges and to the intergenerational responsibility we must assume.

It invites us to think beyond the immediate present and to address, with a view to the future, such crucial issues as environmental protection, ethical and non-invasive legal regulation of technological advances, the need for precise legal standards, and the defence of the rights of those who do not yet have a voice, but will have one in the future.

Throughout the Congress, these topics have been addressed from three essential pillars that call for a coordinated, strategic, and forward-looking judicial response at the global level.

First, we highlighted the right to a clean, healthy, and sustainable environment as fundamental. The climate crisis and ongoing environmental degradation impose an urgent

need for robust constitutional and legal frameworks that guarantee effective protection.

Today, sustainable development is no longer an option, it is a requirement. Its premise—meeting current needs without compromising the future of the next generations—is at the very heart of environmental justice.

As judges, through our decisions and interpretation of our Constitutions, we have a duty to uphold international commitments, promote responsible environmental policies, and take action in the face of growing ecological damage.

The second pillar of discussion led us to recognise cultural heritage as a human right with constitutional dimensions.

Preserving it is more than just complying with a rule; it is an act of intergenerational responsibility.

This heritage is a legacy of the past, a bridge between generations, and an essential element of the collective identity and memory of all humanity.

Third, we have reflected on the importance to guarantee the right to connectivity and fair access to technologies and knowledge creation and distribution systems. In an increasingly digitized world, these rights have become a vital element for development and social inclusion.

We cannot allow technological progress to advance without ethical limits or legal safeguards. The misuse of personal data, discrimination through algorithms, and abuses stemming from excessive surveillance of human beings are real threats that require a firm judicial response. The constitutional courts have the responsibility to lay the foundations that ensure technological justice in accordance with human dignity and fundamental rights.

Ladies and gentlemen,

Another central issue in our deliberations over the past few days has been the preventive role of constitutional courts. It is not enough to respond to rights violations once they have occurred; we must anticipate them.

By clearly defining the protection of fundamental rights and reviewing the constitutionality of laws and policies, we set stable legal frameworks that prevent potential abuses and consolidate the protection of rights, beyond political fluctuations.

Similarly, in a session that was particularly significant for those of us who work daily to defend constitutional values, we conducted an exhaustive analysis of the state of independence in our constitutional courts.

The conclusions are clear: the threats to independence of constitutional courts are not mere possibilities or isolated cases. As we had the chance to learn, many constitutional courts face political pressures, some from external

sources, delays in the enforcement of their decisions, attempts to erode public confidence in the functioning of the constitutional courts and budgetary or procedural constraints that limit their ability to act.

In light of this, we must remember that judicial independence, and especially the independence of constitutional courts, is not a privilege of judges, but a guarantee for all citizens.

This point leads me to make a clear and concise appeal to all the State powers and institutions: let us respect the functioning of the Institutions and assert our own legitimacy, which stems from the constitutional mandate. And in Spain the legitimacy of the Constitutional Court is consolidated by our election system which is based on the balanced appointment of judges by the three branches of government, the executive, legislative and judicial branches, whose activity must always be subject to the mandate of the Constitution. A Constitution whose supreme interpreter is precisely the Constitutional Court.

Dear friends,

What has been discussed here has a real and lasting impact on the protection of fundamental rights, on the quality of our democracies and, ultimately, on the future of our societies.

That is why meetings such as the one we are closing today are more necessary than ever. Because they are spaces for shared reflection, enriching dialogue, and joint construction. Because they strengthen our institutions and renew our shared commitment to the rule of law.

I am convinced that many of the ideas that have emerged here these days will not remain only in the realm of institutional debate. They will transcend, influence future rulings and resolutions, inspire constitutional reforms and interpretations, and give rise to new understandings of the law that are more in line

with the challenges of our time. And that is precisely the true objective of this Congress: remember that each Constitution is a tree full of life, which carries within it the seed of a new world.

That desire has guided the Constitutional Court of the Kingdom of Spain throughout the process of organizing this sixth Congress of the World Conference on Constitutional Justice. It has undoubtedly required considerable effort and a great deal of responsibility. But above all, it has been a source of genuine institutional pride.

Allow me to conclude by speaking from the heart: in my more than 50 years as a judge, I have always sought to uphold and defend the rights of citizens. I belong to a generation of judges with a deep civic and democratic conviction who were responsible for implementing and enforcing the 1978 Constitution. And now, as President of the Constitutional Court of the Kingdom of Spain, I feel that my principles and values are even stronger, if possible. I feel that my work over all

these years, like that of many of my colleagues, has been worthwhile. That is why it is particularly meaningful for me to have been able to host this Sixth Congress of the World Conference on Constitutional Justice in Madrid.

It has been a real honour.

I will conclude now, but not before expressing my sincere hope that dialogue and cooperation between the constitutional courts of the five continents will carry on, with a view to further building the true constitutionalism that the 21st century needs, as well as the constitutional law of the future.

Thank you very much.