



RESOLUTION I

The General Assembly of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions, convened on June 2, 2017 in Kharkiv,

has unanimously decided:

To approve the report of Secretary General of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions for 2016.

Annex: report of Secretary General of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions for 2016.

Kharkiv, June 2, 2017

Yurii Baulin,
Acting President of the Association of Constitutional Justice
of the Countries of the Baltic and Black Sea Regions



The Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions

Annual Report (2016)

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1. General Remarks

The Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions (BBCJ) was established in 2015 on the initiative of the Constitutional Court of Moldova and the Constitutional Court of Lithuania. During the meeting hosted by the Constitutional Court of Lithuania on 26 October 2015 in Vilnius, the President of the Constitutional Courts of Georgia, **Mr George Papuashvili**, the President of the Constitutional Courts of Moldova, **Mr Alexandru Tănase**, the President of the Constitutional Court of Lithuania **Mr Dainius Žalimas** and the President of the Constitutional Court of Ukraine **Mr Yurii Baulin** signed the ***Declaration on the Establishment of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions*** and approved its Statute.

The goal of the Association aims at promoting the protection of human rights and fundamental freedoms, as well as the independence of constitutional courts, implementing rule of law principles, and enhancing the exchange of experience between its members.

Following the signature of the Declaration, the members decided that the Constitutional Court of Moldova shall hold the presidency of BBCJ until 1 January 2017 as the Court having initiated the Establishment of BBCJ.

2. Activities accomplished

As the Court holding the Presidency of the Association during the period October 2015 – January 2017, the Constitutional Court of Moldova was

actively involved in promoting the goals and aims of BBCJ Association - to underline the role of constitutional courts in affirming the supremacy of the constitution and constitutional justice, respect for human rights and fundamental freedoms, as well as to promote the need to respect the independence and sovereignty of states and their territorial integrity.

a) General Assembly

On 1 July the Association held its first General Assembly during which it discussed and decided on a number of important issues related to the Association, as follows:

- amendments to certain articles of the Statute of BBCJ in order to extend the possibility of other countries of the Baltic and Black Sea Regions, namely EU associated/candidate countries, to become members of BBCJ Association.
- approval of the symbols of BBCJ Association (logos, corporate color and flag).

The General Assembly approved the content and design of the website of BBCJ Association www.bbcj.eu. The site aims at informing the public on the current activities of BBCJ and is run by the Constitutional Court holding the presidency of the Association.

The General Assembly also decided that the Presidency of BBCJ Association shall start on 1 January and shall last until 31 December, to cover a full calendar year.

b) 1st BBCJ Congress

The most important event of the Association was the organization of the first BBCJ Congress hosted by the Constitutional Court of Moldova which brought into attention "*The role of constitutional courts in the protection of democratic values.*" The event was attended by high representatives of the Venice Commission, Presidents and judges of BBCJ member Courts, the Secretary General of the Organization for Democracy and Economic Development – GUAM, as well as by international legal experts in constitutional justice. Welcome speeches were delivered by the President of the Republic of Moldova Mr Nicolae Timofti and the Speaker of the Parliament Adrian Candu.

Subjects discussed during the Conference referred to the independence of Constitutional Courts under the aspect of recent developments and challenges, effects of the acts delivered by constitutional courts (rulings, judgments,

decisions), optimization of the powers of constitutional control bodies, particularly the competence of interpretation of the laws, as well as horizontal effect of the constitutional rights, duty to interpret law consistently with the constitution (indirect effect) and direct effect of constitutional provisions.

c) working meetings of members

- On **17 December 2015** a summit of the Presidents of the Constitutional Courts of Ukraine, Georgia, the Republic of Lithuania, and the Republic of Moldova – members of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions (BBCJ) – took place at the Constitutional Court of Ukraine, in Kyiv. During the meeting the parties discussed the issues of communication among members of the Association, joint projects and action plans for the coming year, as well as the possibilities for future enlargement of the Association.
- On **18 December 2015** Presidents of BBCJ member courts met Ukraine's President Poroshenko in Kyiv and expressed their concern over Ukraine's territorial integrity and the respect for international law in administering constitutional justice.

Conscious of the necessity to defend the fundamental international legal principles and standing in solidarity with its Ukrainian colleagues, members of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions (BBCJ) joined the so-called Batumi process—the initiative launched by the Ukrainian Constitutional Court in September 2015 in Batumi – to condemn the Constitutional Court of the Russian Federation for its role in committing aggression against Ukraine, i.e. for its role in the annexation of Crimea.

- On **24–25 October 2016** the Constitutional Court of Lithuania hosted the Forum organized within the framework of the cooperation project „Assistance to the Constitutional Courts of Georgia, Republic of Moldova and Ukraine in ensuring the implementation and protection of the rule of law”, supported and funded by the Ministry of Foreign Affairs of Lithuania within the Development Cooperation and Democracy Promotion Programme.

During this event the delegates marked the one year anniversary of the creation of the Association.

d) BBCJ Publications

In 2016 the Constitutional Court of Moldova, as the Court holding the presidency of BBCJ Association, has published the compilation of reports and speeches delivered during the 1st BBCJ Congress held on 30 June – 1 July 2016 in Chişinău. The publication has been delivered to all BBCJ members as well as to the participants in the Congress.

e) External actions:

- BBCJ statement on pressure and undue interference in the work of several European Constitutional Courts (17.03.2016)
- Statement of BBCJ on the attempted coup d'état in Turkey (21.07.2016)

Calendar of events

25 October 2015	Vilnius, Lithuania	Signature of the Declaration on the Establishment of BBCJ Association and of its Statute
12-17 November 2015	Washington DC, USA	Participation of BBCJ members at the Federalist Society's National Lawyers Convention
15-17 December 2015	Kyiv, Ukraine	Summit of BBCJ members
18 December 2015	Kyiv, Ukraine	Meeting of BBCJ members with the President of Ukraine Petro Poroshenko
17.03.2016		BBCJ statement on pressure and undue interference in the work of several European Constitutional Courts
30 June 2016	Chisinau, Republic of Moldova	of First BBCJ Congress
1 July 2016	Chisinau, Republic of Moldova	of General Assembly of BBCJ Association
21 July 2016		Statement of BBCJ on the attempted coup d'état in Turkey

24-25 October 2016

Vilnius, Lithuania

Forum of the
Constitutional Courts of
Georgia, Republic of
Lithuania, Republic of
Moldova, and Ukraine