

Second Annual Conference of the Balkan Constitutional Courts Forum
“Evolutions in Contemporary Constitutional Justice: Example of the Balkan
Region”

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**Honorable President of the Republic of Kosovo,
Honorable Presidents,
Honorable Colleagues, Participants and Esteemed Guests,**

In my capacity as the President of the Constitutional Court of the Republic of Albania, as well as the President of the Conference of European Constitutional Courts, it is a privilege to be here today in Kosovo, in the country that we unanimously chose to host our new Forum of the Balkans’ Constitutional Courts, at its second annual conference.

The organization of this forum in the newest state of our region and continent reflects an important symbolism: This new Republic, despite the natural and comprehensible difficulties, has also the opportunity to build not only a democratic system, but above all and most importantly a constitutional democracy.

Gathered here today in the heart of the Balkans, a region with a significant history, culture and values, firmly committed toward its European perspective, we are reminded of the vital role that constitutional courts play in safeguarding democracy, protecting fundamental human rights, ensuring the supremacy of the rule of law.

The Balkans are integrated into the heart of Europe, and we all share our responsibility to contribute to a peaceful, united, stronger and just Europe.

The principle of “democracy under the rule of law” presumes first of all a democracy guided by the Constitution. Therefore, the constitutionality and safe implementation of the rule of law are vital to the integrity of our legal systems, institutions, and democratic values.

This conference, as an annual gathering of our Courts, reaffirms our common commitment to principles and fundamental democratic values that are essential to maintaining social cohesion, peace, and justice in our societies.

As you already know, Constitutional Court of Albania has been chosen in May 2024, to preside the Conference of European Constitutional Courts for three years. The mission of this Conference is closely aligned with the vision, spirit and aim of the Balkans’ Forum, as they both seek to guarantee the respect for the law, promote dialogue and safeguard democratic principles and human rights.

Moreover, as countries in the Balkans are moving closer to the European Union membership or Euro-Atlantic integrations, (I seize this opportunity to share with you the good news of the opening of negotiations with Albania on Chapter 1),

Constitutional Courts have a key role in ensuring that our national legal systems reflect the western democratic values.

This conference, as well as every activity of such nature, does not serve only as a model and practice of productive cooperation between our systems and institutions, which are quite necessary in order to deal with our common political, legal, economic and cultural challenges, but also as a joint effort of Western Balkans' citizens to guarantee equality and approach the same standards.

As President of the Conference of European Constitutional Courts, I invite you all to continue working in synergy with each other and with our Euro-Atlantic partners as well, since only together can we build stronger and more stable systems of democracy and governance, which are based on constitutional principles and values and guarantee the respect for fundamental human rights.

Esteemed Colleagues,

Taking advantage of this special occasion and the great hospitality shown by the Constitutional Court of Kosovo, I would like to bring to your attention that Kosovo's application for membership in the Conference of European Constitutional Courts is currently in process, and that this forum could also serve as an opportunity to underline its commitment to constitutional democracy, respect for the rule of law and individual rights, values which constitute the basis of the Conference of European Constitutional Courts and of its member Courts.

As the Founding Fathers of the American Constitution have emphasized, freedom is always threatened by tyranny and, therefore, it is more difficult to preserve and guarantee such freedom rather than to establish it. Constitution is the

guarantor and protector of freedom, while the Constitutional Courts are its guardians.

Ladies and gentlemen,

This year's conference on the topic "Evolutions in Contemporary Constitutional Justice: Example of the Balkans Region", provides an excellent opportunity to reflect on significant developments in our societies nowadays.

The distance that separates us from the rest of the continent, the European Union, is not only political, economic, and cultural, but also legal in nature. As a matter of fact, it is through our commitment to constitutional values and protection of human rights that these distances can be narrowed, and potentially lead us to the same point.

I would like to quote Professor Kristaq Traja, who has said that "Constitutional justice is an intellectual revolution of civilization," since it implements in practice the equality among the values that lie at its foundation. Practically, such justice is based on the Constitution, however, the Constitution is not merely a law imposed by the government. It represents a concept almost similar to the law itself – namely, to the set of rules that are the outcome of the fundamental agreement to coexist, for the purpose of which laws are and should be enacted.

Constitutional justice in our countries is undergoing a transformative phase, adapting itself to profound social changes and international standards.

The more rapid, more efficient and with higher standards this transformation is, the more swiftly our societies will progress toward the ideal of a democratic society.

The needs of citizens for transparency, responsibility, accountability and protection of their rights continue to present a persistent challenge for our democracies, representing an integral component and a driving force of this transformation.

While constitutionalism is an expression of the rule of law, constitutional justice represents the mechanism of its implementation. The main challenge faced by our Constitutional Courts is to ensure and give effective justice to our citizens through constitutional justice. This is essential to prevent constitutionalism from becoming merely ornamental, which would be more detrimental than the absence of constitutional system itself. Therefore, we should make the Constitution a living instrument, making it tangible, and struggle to ensure that the supreme principles it enshrines are materialized and not reduced to a mere façade.

For this reason, such forums and activities are important and useful since they enable us to work together in a complementary way, in order to address the present and future challenges.

Our commitment and contribution to the speed, depth and dimensions of changes to the constitutional justice in our countries reflect our unwavering dedication to establish a democratic system, independence of powers and the rule of law.

I would like to reiterate my deep gratitude and appreciation to the Constitutional Court of Kosovo for the outstanding organization of this conference.

The meticulous planning and commitment to this event reflect the great importance that the new Republic of Kosovo attaches to the role of Constitutional Court, in guaranteeing justice and functioning of the democratic system.

To conclude, please allow me to reaffirm the great responsibility that we bear as constitutional judges.

I am quite convinced that discussions we are having here today will be enriching and constructive, further contributing to the consolidation of constitutional justice in our respective countries, as a response to the demands of our citizens and the aspirations of our peoples.

Let us all work together in order to ensure constitutional justice, as a means of effectively protecting fundamental rights, towards a future where all the citizens are equal before the law, where no one stands above the law, and no one is below it.

Constitution belongs to the state, but in the first place it belongs to the citizens. It is very significant that many constitutions, including ours, begin with the words "We, the people...", which implies that the Constitution, the laws and the government established on their basis, derive from the citizens and serve to them.

The Constitution represents an agreement among all the members of a community, to uphold and share those values worthy to human beings.

Thank you!