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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
(VENICE COMMISSION)

CONFERENCE

**ON THE “CONSTITUTIONAL COURT
IN THE SYSTEM OF STATE BODIES:
CRUCIAL PROBLEMS, WAYS OF THEIR SOLUTION”**

Kyiv, Ukraine

16-17 May 2008

SYNOPSIS

Together with the Constitutional Court of Ukraine, the OSCE and the German Foundation for International Legal Co-operation, the Venice Commission organised a conference on the "Constitutional Court in the system of state bodies: crucial problems, ways of their solution" in Kyiv (16-17 May 2008).

The conference was opened by the President of Ukraine, Mr Victor Yuschenko. Participants included the chairmen of the constitutional courts of Belarus and Ukraine, the Chairman of the Constitutional Council of Kazakhstan, the Secretary General of the Constitutional Court of Romania, the Chairmen of the Supreme Court of Ukraine and the Verkhovna Rada, judges from the constitutional courts of the Czech Republic, Germany, Hungary, Lithuania, Russia and Ukraine, the Project Manager of the German Foundation for International Legal Cooperation, the Head of the Foundation's Offices in Kyiv and Minsk and OSCE Project Co-ordinator in Ukraine.

As a consequence of the constitutional justice crisis that took place in Ukraine, the discussions revolved around the importance of strengthening the Constitutional Court in order to provide stability of the Constitution and respect for the rule of law.

Presentations from constitutional courts of other countries (Austria, Belarus, Czech Republic, Germany, Hungary, Kazakhstan, Latvia, Lithuania, Moldova, Romania, Russia and Slovenia) showed the crucial effect that constitutional courts can have on the democratic development of countries, even if in some of these countries problems persisted.

It was agreed that the Constitutional Court of Ukraine should have a distinctive role to play in furthering and strengthening the democratic process, in which the Constitution serves as a main pillar. It was proposed that this Court be further strengthened by the introduction of a constitutional complaint against individual acts.