

THE NINETEENTH PLENARY SESSION OF THE PABSEC GENERAL ASSEMBLY

Doc.GA19/REC62/FCC/02

RECOMMENDATION 62/ 2002*

on the First Forum of the Constitutional Courts from the BSEC Member-States

1. The first ever *Forum of the Presidents of the Constitutional Courts from the BSEC Member-States* in Chisinau on 10-11 December 2001 was a significant outcome of the initiative launched by the Parliamentary Assembly. The Forum focused on addressing the fundamental issues of the rule of law, constitutional justice, independent and impartial judiciary, just and fair civil society, transparency and accountability, honest law-enforcement and truly democratic institutions, all of them playing a crucial role for the Member-Countries and the Black Sea region as a whole. *The Chisinau Communiqué* embodies the joint approach by the Constitutional Courts of the BSEC Member-States towards strengthening the supremacy of law as a core of a democratic system serving to fostering and promotion of civil, political, economic, social and cultural rights.
2. The meeting of the participants with the President of the Republic of Moldova H.E. Mr. Vladimir Voronin, the address to the Forum by the President of the Parliament Mrs. Eugenia Ostopchuk, as well as participation by Mr. Dumitru Braghis, Head of the PABSEC Moldovan Delegation and prominent scholars in constitutional law, on one hand, and the constructive meetings by the PABSEC Secretary General with the President of the Parliament and the Minister of Foreign Affairs, on the other, illustrated the importance attached by the Chisinau authorities to this event. At the same time, Victor Dallakyan, PABSEC Vice-President (Armenia), in his address to the Forum underlined the extreme importance of the Constitutional Courts guarding democratic constitutional stability of the states and the commitment for consolidating and enhancing democratic development in the PABSEC countries.
3. **The Parliamentary Assembly of the Organisation of the Black Sea Economic Cooperation:**
 - i. **stresses** that the idea of the partnership between the Black Sea countries inspired by the values of democracy, the rule of law and respect of human rights as a main pillar within the framework of the sustainable democratic development and economic cooperation has always been among the top priorities on the agenda;
 - ii. **welcomes** the successful outcome of the Chisinau Forum, which demonstrated the creative potential of the PABSEC to take and implement initiatives aimed at providing a clear and stable legislative framework, meeting the challenges

* Text adopted by the PABSEC General Assembly on 12 June 2002 in Tbilisi
Rapporteur: Mr. Victor Dallakyan, PABSEC Vice-President

of the BSEC short- and long-term strategy as well as the determination of the Constitutional Courts of the Member-States to play a significant role in strengthening the rule of law at national level and in the region as a whole;

- iii. **appreciates** the in-depth and constructive exchange of views and experience among the participants on securing the supremacy of Constitutions, separation of powers, protection of fundamental human rights and freedoms, introduction of the European standards in the constitutional jurisdiction field paving the way towards promoting the process of building democratic institutions in every Member-State, as a prerequisite for turning the Black Sea into a region of flourishing democracy, prosperity and stability;
 - iv. **underlines** the importance of the Chisinau Communiqué focusing on the role of the Constitutional Courts in contributing to the development and improvement of the systems of law, effective protection of human rights and fundamental freedoms which lays down a strong basis for the expansion of cooperation among the Constitutional Courts in the Black Sea region. Within this framework, a special relevance has the agreement of the participants to institutionalise the Forum as a new component of the multilateral cooperation process in the Black Sea region.
4. **The Parliamentary Assembly**, therefore, recommends the Parliaments and Governments of the BSEC Member-States:
- i. **to support and facilitate** the endeavours of the Constitutional Courts to comply with the principle of supremacy and rule of the Constitutions;
 - ii. **to encourage** the Constitutional Courts of the Black Sea region to deepen exchange of expertise, as well as further consultations and cooperation with relevant European institutions.
 - iii. **to further promote and enhance** organisation of the special gatherings dedicated to the strengthening of democratic institutions and consolidating the rule of law;
5. **The Parliamentary Assembly** invites the Council of Ministers of Foreign Affairs to consider this Recommendation.