

Nurak Marpraneet

President of the Constitutional Court of the Kingdom of Thailand

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President of the Constitutional Court of the Russian Federation,

Distinguished Participants,

Ladies and Gentlemen.

On behalf of the Constitutional Court of the Kingdom of Thailand, my delegation and I would like to express sincere thanks to the Constitutional Court of the Russian Federation for kind invitation to this International Conference in Commemoration of the 25th Anniversary of the Constitutional Court of the Russian Federation.

Ladies and Gentlemen,

I may start to give my presentation on “Modern Constitutional Justice: Challenges and Prospects,” divided into 3 parts as follows.

First : The role of the Constitutional Court on modern constitutional justice.

Second : Modern constitutional justice and challenges to the Constitutional Court.

Finally : Modern constitutional justice and prospects to the Constitutional Court.

Firstly, “**the role of the Constitutional Court on modern constitutional justice.**” I would like to provide a brief definition of “**Constitutional Justice**” before linking with the role of the modern Constitutional Court.

As the Constitution is a supreme and fundamental law of each country covering three major elements of the nation – state, politics and government, and law. That is to say, (1) for state, the Constitution stipulates the forms and powers of state. It also specifies the relationship between states, people, and private sectors. (2) In terms of politics and government, the Constitution specifies political and governmental regimes, status, powers, and relations among governmental bodies and people. And (3) With regards to law, the Constitution employs its role in stipulating legal systems such as regulatory patterns and categories as well as legal custom, conditions, and sanctions towards state, governmental bodies and people. As the mentioned principles and rationales, the Constitution is said to be the central institutional mechanism of each country for their state, politics and government, and law.

Therefore, constitutional justice is a justifiable linkage extended to state, politics and government, and law of the countries. Generally speaking, constitutional justice is fundamental justice for the major elements of the nation, maintaining the national existence, direction, and achievement. In other words, constitutional justice is one supremely necessary to sustain major practices and orders of state, politics and governments, and legal system of the country. As a consequence, the expectation of constitutional justice is to strengthen and solidify each country in order to support the said main elements of the countries in terms of justice security holistically and concretely. It also builds up relationship and balance among state, politics and government, and legal system.

Ladies and Gentlemen,

As I mentioned earlier about the rationales and significance of constitutional justice, as far as its linkage with the role of the modern Constitutional Court is concerned, it can be said that the Constitutional Court is a judicial body exploiting her power in scrutinizing constitutionality of law and regulation. This role-playing is to maintain constitutionality covering the relationship among state, politics and government, and legal aspects.

Based on the above-mentioned reason, the Constitutional Court plays her vital role in promoting modern constitutional justice. Accordingly, the Constitutional Court herself has to demonstrate her successes from this fundamental task to reach her four major achievements as follows: (1) as a backbone to establish security in mainstream justice of the country; (2) as a mainstay to found any guarantee to build up a balance and relationship for justice maintenance; (3) as a main actor to integrate national existence basis, direction, and achievement; and (4) as a pillar to sustainably strengthen and solidify the country.

Second, “**modern constitutional justice and challenges to the Constitutional Court.**” I stated in the first stage about the role of the Constitutional Court in maintaining modern constitutional justice. This role is a wide range affecting national justice security, guarantee of balance and relationship concerning justice protection, and national sustainable strengths and solidarities. As every honorable participant might realize that there are a couple of major challenges to maintain constitutional justice of the Constitutional Court; that is to say, (1) challenges to her task in maintaining, fostering, and keeping fairness, certainty, and justice; and (2) challenges of the Constitutional Court’s responsibility in ethical advance as it is a consequence of balance and relationship guarantee in order to maintain justice in state, politics and government, and legal system aspects.

Ladies and Gentlemen,

Finally, “**modern constitutional justice and prospects to the Constitutional Court.**” This aspect is related to capacity building to take a responsibility and response to changing, transforming, and fluctuating dynamics which are non-continual and uncertain. It includes a thorough and up-to-date responsibility to cope with surrounding pressure influences. It better favorably meets various demands. The prospects to the Constitutional Court are said to be a vital condition as the Court herself shall arouse new

conscious and awareness of novel capabilities and abilities necessary and adjustable to any changes. This aims at sufficiently strengthening the Constitutional Court's driving powers and institutional development as a judicial body and a major mechanism of the country.

Ladies and Gentlemen,

I strongly hope that this International Conference will contribute to benefaction to improve several new roles and prospects of the Constitutional Court to maintain modern constitutional justice under coming pressure and expectation contexts effectively. It will also aid institutional development of the Constitutional Court and promote her security and solidarity sustainably.

In the end, on behalf of the Constitutional Court of the Kingdom of Thailand, the delegation and I firmly hope that your attention and time spent receiving my presentation will be beneficial to your institutions, countries, and people as a whole. I would like to take this opportunity to express sincere thanks once again.

Thank you.

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