

THE STATUTE OF THE BALKAN CONSTITUTIONAL COURTS FORUM

Preamble

We, the Presidents of the Balkan Constitutional Courts, which exercise constitutional jurisdiction in the countries of the Balkan region, as listed below in alphabetical order, and hereinafter referred to as “the founding members”:

- The Constitutional Court of the Republic of Albania,
- The Constitutional Court of the Republic of Bulgaria,
- The Constitutional Court of the Republic of Kosovo,
- The Constitutional Court of Montenegro,
- The Constitutional Court of the Republic of North Macedonia,
- The Constitutional Court of the Republic of Türkiye;

RECALLING “the Memorandum of Understanding for Establishment of the Balkan Constitutional Courts Forum” which was agreed at the First Annual Meeting of the Balkan Constitutional Courts Forum in Sofia, Bulgaria, hosted by the Constitutional Court of the Republic of Bulgaria, on October 27th, 2023;

CONSIDERING the importance of close cooperation among the Balkan constitutional jurisdictions for the progress of democracy, human rights and the rule of law in the countries of the Balkan region;

REALIZING the need of sharing experiences, exchanging information, and discussing issues of mutual concern over constitutional practice and jurisprudence for the development of the Balkan constitutional jurisdictions;

CONSIDERING the common cultural and civilian heritage in order to benefit from solidarity and cooperation, knowledge, manners and mutual experience in the countries of the Balkan region;

CONVINCED that the establishment of a permanently functioning body composed of the constitutional courts and equivalent institutions of the Balkan countries (hereinafter referred to as “courts”) have greatly enhanced cooperation and exchanges of experiences and information among them;

HAVING DECIDED to adopt the Statute of the Balkan Constitutional Courts Forum (hereinafter referred to as “the Forum”) at the Third Annual Meeting hosted by the Constitutional Court of the Republic of Türkiye in Antalya, Türkiye on November 14th, 2025;

HAVE THEREFORE AGREED on the following provisions on the basis of mutual respect and with a due regard to the principles of the rule of law and judicial independence, and adopted this Statute:

PART I

GENERAL PROVISIONS

Article 1

Legal Status

The Forum shall operate as an autonomous, independent, and non-political body in accordance with this Statute. It shall not produce any legally binding effects outside of its institutional framework.

Article 2

Objectives

The objectives of the Forum shall be to promote:

- (a) the protection and strengthening of democracy;
- (b) the respect for and protection of human rights;
- (c) the implementation of the rule of law;
- (d) the independence of constitutional courts;
- (e) the cooperation and exchanges of experiences and information among the members.

Article 3

Functions

The Forum shall have the following functions:

- (a) to hold regular meetings;
- (b) to organize activities such as symposia, workshops and seminars on constitutional law and constitutional adjudication;
- (c) to facilitate sharing of experiences of constitutional case-law or adjudication practices;
- (d) to establish thematic working groups or expert committees to focus on specific areas of constitutional law and share research, analysis, and opinions;
- (e) to issue reports, studies, and recommendations on matters of constitutional significance within the Balkan region;
- (f) to provide technical assistance to members, upon request, in constitutional adjudication practices, procedures, and case-law development, as well as on administrative matters as an essential factor in guaranteeing and implementing the objectives of the Forum;
- (g) to support efforts for maintaining regular contacts among members;
- (h) to engage in cooperation, when necessary, with organizations in the field of constitutional law.

Article 4

Working Language

1. The official working language of the Forum shall be English.
2. Translation into another language shall be provided at the expense of the member requesting the translation service.

PART II

MEMBERSHIP

Article 5

Membership

1. Only one institution from each sovereign country of the Balkan region may become a member of the Forum.
2. Membership to the Forum shall be granted to Balkan constitutional courts and equivalent institutions which exercise constitutional jurisdiction.
3. Members shall be fully entitled to participate in all matters related to the Forum.

Article 6

Admission to Membership

1. A written application for membership to the Forum shall be addressed to the Term-President and submitted to the Secretariat. The application shall include the following documents:
 - (a) The legal instruments governing the establishment and composition of the candidate Court and the appointment and status of judges;
 - (b) The texts establishing the nature and scope of its jurisdiction;
 - (c) The documents demonstrating jurisdiction actually exercised (texts of exemplary decisions / judgments).
2. Upon receipt of the application and necessary documents, the Secretariat of the Forum shall transmit their copies to all members.
3. The admission to membership shall be effected by a unanimous decision of the Forum Members.

Article 7

Loss of Membership

Any member may declare its intention to withdraw from the Forum at any time by submitting a written declaration to this effect. This declaration shall be addressed to the Term-President and submitted to the Secretariat, which shall then transmit it to all members for notification purposes.

PART III

OBSERVERS AND GUESTS

Article 8

Observers

1. Observer status may be granted to international courts and institutions, constitutional courts, and equivalent institutions that exercise constitutional jurisdiction. These courts and institutions should share the values and objectives of the Forum.
2. A written application, accompanied by documents listed above in Article 6, for an observer status of the Forum shall be addressed to the Term-President and submitted to the Secretariat. Upon receipt of the application for an observer status, the Secretariat shall transmit it to all members. The admission of observers shall be effected by a unanimous decision of the Forum Members.
3. Observers shall not be entitled to vote.

Article 9

Guests / “Guests of Honor”

The Term-President of the Forum may invite guests and “guests of honor”, recognized for their contributions to constitutional justice, to attend the Annual Meeting and activities such as symposia, workshops, and seminars.

PART IV

ORGANIZATIONAL STRUCTURE

Article 10

The Forum shall operate through the decision-making of the Board of Members and administrative works of the Secretariat.

CHAPTER 1

BOARD OF MEMBERS

Article 11

Composition

The Board of Members shall be composed of the Presidents or Heads of the constitutional courts with member status. When necessary, a judge / justice may represent the President or Head of the Member Court.

Article 12

Competences

The Board of Members is the central decision-making body and has competence in the followings matters:

- (a) admission and expulsion of members and observers;
- (b) appointing members to thematic working groups or expert committees on specific areas of constitutional law;
- (c) determining the composition, competences, and working methods of the thematic working groups and expert committees;
- (d) approving financial contributions from a third party;
- (e) adoption of the final declaration of the Annual Meeting;
- (f) amending the Statute;
- (g) dissolving the Forum;
- (h) confirming and developing the modalities of cooperation between the Forum Members and similar regional and international bodies;
- (i) deciding upon membership application to, or withdrawal from, the regional and international bodies;
- (j) taking decisions on matters pertaining to the Forum that are not expressly provided for in this Statute.

Article 13

Term-Presidency

1. The Term-President of the Forum shall be the President or Head of the host member of the current Annual Meeting or, where appropriate, the representative of the President or Head.

2. The Term-President shall represent the Forum at activities and events and organize symposia, workshops, and seminars on constitutional law and constitutional adjudication practices, in coordination with the Secretariat.
3. The Term-President of the Forum shall preside over the Board of Members.
4. The Term-President shall organize and host the Annual Meeting of the Forum.
5. The term of office for the Term-President of the Forum shall be one (1) year. The Term-Presidency shall be handed over at the closing session of the Annual Meeting, by a decision of the Board of Members.
6. The Term-President of the Forum shall exercise other functions and competences according to the provisions of this Statute.

Article 14

Meetings

1. In principle, the Board of Members shall hold meetings immediately prior to the opening or closing sessions of the Annual Meeting.
2. The Board of Members may hold additional meetings, either in person or electronically, by the invitation of the Term-President of the Forum.

Article 15

Agenda

1. Under the guidance of the Term-President, the Secretariat shall send a written invitation, accompanied by the provisional agenda of the Annual Meeting, including that of the Board of Members meeting, to all members at least two (2) months prior to the Annual Meeting.
2. The decisions taken shall be recorded in the minutes of the meeting. The Secretariat shall be responsible for preparing the minutes of the meeting.
3. Members shall be provided with the minutes.

Article 16

Venue of Meetings

1. As a rule, the Board of Members shall meet at the seat of the member court responsible for organizing the Annual Meeting. In exceptional cases, the Board of Members may fix another venue.

2. Upon proposal of the Term-President of the Forum, the Board of Members meeting may be held in electronic format.

Article 17

Quorum

1. The Board of Members shall convene with a quorum of a two-thirds (2/3) majority of the total number of the Forum Members.

2. A judge / justice of a member court may represent the President or Head at the Board of Members' meetings and vote on their behalf when necessary.

Article 18

Voting

1. The Board of Members shall take decisions by a unanimous vote of those present at the meeting. However, admission to, and termination of, the membership, amendments to the Statute, and dissolution of the Forum shall require a unanimous decision of the Forum Members.

2. Each member shall have one (1) vote.

CHAPTER 2

SECRETARIAT

Article 19

Structure

The Secretariat of the Forum shall be operated by the Constitutional Court of the Republic of Bulgaria in coordination with the member holding the term-presidency.

Article 20

Competences

1. The competences of the Secretariat are as below:

- (a) to provide central administration support;
- (b) to ensure effective communication among the members, and to ensure the regular and timely dissemination of all necessary documents, information, and correspondence related to the activities of the Forum;

- (c) to manage the Forum's interactive website (to publish the judgments, decisions and academic works through a central system which will ensure member courts' access to case-law);
 - (d) to assist the Term-President / the host court in organizing the regular meetings (Annual Meeting and Board of Members' meetings, etc.);
 - (e) to assist the Forum in its works and proceedings;
 - (f) to keep record of the activities organized and to create an archive;
 - (g) to coordinate sharing of experiences and requests for technical assistance;
 - (h) to coordinate the study visits among the member courts upon request by the relevant courts;
 - (i) to keep record of data to facilitate such visits and to provide consultancy on these issues;
 - (j) to coordinate such issues as training, internship etc. programs in the countries of member courts upon request by relevant party.
2. Any initiative of the Secretariat regarding a matter not listed above shall be subject to the approval of Forum Members.

PART V

FINANCING

Article 21

Principles of Financing

1. The general costs of organizing the Board of Members meetings and the Annual Meeting and other activities including symposia, workshops and seminars shall rest with the member court hosting the relevant event.
2. As a rule, each member (including observers and guests) shall cover their own transportation and accommodation costs incurred in connection with the activities of the Forum. The host court may, at its discretion and within feasible limits, choose to cover accommodation expenses.
3. However, in exceptional cases, the Term-President / the host court may request that the costs be shared equally among the members, subject to approval of the Board of Members.
4. Other arrangements regarding financial matters may be decided by the Board of Members.

PART VI

MISCELLANEOUS PROVISIONS

Article 22

Liaison Officer

1. Each member shall designate one (1) representative as its Liaison Officer. These liaison officers shall be informed to the Secretariat, which shall notify these officers and any respective changes to the member courts.
2. The Liaison Officer shall act as the channel of communication among members.

Article 23

Seating Arrangements

At the Board of Members meetings and the Annual Meeting, the members take their seats in alphabetical order.

Article 24

Media and Transparency

The media (the press, radio, television) may be invited to the opening of the Annual Meeting. After the closing session, a press conference may be held by the Term-President of the Forum, accompanied, if appropriate, by other participants in the Annual Meeting.

Article 25

Amendments

1. Any member of the Forum may submit amendments to this Statute as written proposals to the Secretariat.
2. Such amendments shall be submitted to, and decided by, the Board of Members.

Article 26

Dissolution

The Forum may be dissolved by a unanimous decision of the Board of Members.

PART VII

FINAL PROVISIONS

This Statute shall enter into force on the day of its adoption by the representatives of the founding members of the Forum at the Third Annual Meeting, held in Antalya, Türkiye, on November 14th, 2025.

This Statute forms an integral part of the “Memorandum of Understanding for Establishment of the Balkan Constitutional Courts Forum” signed in Sofia, Bulgaria on October 27th, 2023. No provision of this Statute shall be interpreted in contradiction with the Memorandum of Understanding.

This Statute is originally signed in six (6) identical copies –one for each Signatory– in Antalya, Türkiye on November 14th, 2025, in English language.

IN WITNESS WHEREOF, the representatives of the founding members have adopted this Statute.

Done in Antalya, Türkiye, on November 14th, 2025.