



6th Congress of the World Conference on Constitutional Justice Madrid, 29-30 October 2025

“Human Rights of Future Generations”

Madrid Communiqué

The World Conference on Constitutional Justice¹ held its 6th Congress on 29-30 October 2025 in Madrid at the kind invitation of the Constitutional Court of the Kingdom of Spain.

88 delegations from constitutional courts and equivalent jurisdictions participated in the Congress, making a total of around 300 participants. In 2025, the Constitutional Courts of Suriname, Liechtenstein, and the Sahrawi Arab Democratic Republic, as well as the Supreme Court of Yemen, joined the World Conference on Constitutional Justice. The Congress welcomed the continued growth in WCCJ membership.

Recognizing that constitutional justice must evolve to meet the demands of an intergenerational society, the 6th Congress focused on the essential role of constitutional courts in upholding rights that extend beyond the present.

They noted that constitutional courts are called, through their rulings, to interpret the constitution and develop principles, thus laying legal foundations that outlast electoral cycles and political agendas.

The participants affirmed that safeguarding the dignity, rights, and freedoms of future generations is a constitutional imperative. Courts must ensure that today's judicial decisions do not mortgage the liberties and the wellbeing of future generations.

The Courts underscored the growing recognition of the right to a clean, healthy, and sustainable environment as fundamental. They highlighted their role in adjudicating cases on environmental harm, supporting sustainable development, and enforcing climate justice. Constitutional interpretation should uphold legal frameworks that prevent irreversible ecological damage and affirm state obligations toward future generations, home and abroad.

The Congress emphasized that preserving the cultural heritage — both tangible and intangible — sustains the identity and resilience of future generations. Courts should apply legal mechanisms that protect cultural assets, resolve disputes over cultural property, and address cultural practices that conflict with universal human rights.

The right to digital connectivity and to fair access to information, and the ethical governance of emerging technologies are increasingly vital to human development. Courts are called to safeguard against surveillance abuses, algorithmic discrimination, and violations of data privacy, while promoting equitable access to digital infrastructure and knowledge systems.

¹ The World Conference brings together 125 constitutional courts and councils and supreme courts as well as constitutional chambers (hereinafter, "constitutional courts") from the five continents. It promotes constitutional justice, understood in the sense of the review of the constitutionality of laws, including human rights jurisprudence, as an essential element of democracy, the protection of human rights and the rule of law (Article 1.1 of the Statute of the World Conference).

In addition to the main theme, the 6th Congress was also an opportunity – in accordance with the practice established at previous congresses – to take stock of the independence of the Constitutional Courts which are members of the World Conference.

The Congress acknowledged that the threats to independence of constitutional courts are neither hypothetical nor isolated. Courts in certain countries face political interference, delayed enforcement of decisions, or targeted campaigns to undermine public trust in them. In some cases, attempts have been made to weaken constitutional review through budgetary or procedural constraints.

The Congress reaffirmed that constitutional justice can only fulfil its role when the autonomy and independence of constitutional courts are fully guaranteed. Such independence is not an end in itself but an indispensable condition for ensuring the supremacy of the Constitution, the effective protection of fundamental rights, and the balance of powers in a democratic state governed by the rule of law.

The participants also emphasised their mutual solidarity in defending, in accordance with their respective statutes, the integrity and independence of constitutional judges, whose impartiality must be protected against any interference or pressure, regardless of its origin. Constitutional justice, in its diverse institutional forms, is one of the pillars of democratic stability and progress, and the Congress expressed its united commitment to reject any measure or act intended to obstruct or hinder the exercise of judicial functions essential to the preservation of democracy and human rights.

Such actions erode the rule of law and public confidence. Courts must not become tools of majoritarian will, nor isolate themselves from the societies they serve. Their legitimacy lies in their constitutional mandate, legal principled reasoning, procedural transparency, and the courage to rule according to constitutions — even when decisions are politically inconvenient.

Judicial independence is necessary to guarantee equal protection of the rights of all citizens. This requires adequate resources, procedural protection, and institutional respect.

The participants called for a culture of constitutionalism where court decisions are faithfully implemented, and judicial criticism remains constructive. Transparency, accountability, and dialogue with institutions and civil society strengthen, rather than weaken, judicial independence.

The participants called upon the members of the World Conference on Constitutional Justice to take within the framework of their constitutional competences all measures which are necessary for the maintenance of peaceful cooperation of their states with other members of the international community based on universally recognized constitutional values which include the effective protection of the environment, the preservation of cultural heritage, the development of science in the interests of all humanity and the strengthening of the independence of constitutional courts and equivalent bodies. The participants emphasized the importance to respect the national sovereignty and territorial integrity of each state.

The Rule of Law Checklist of the Venice Commission of the Council of Europe was underlined as a key instrument for assessing and strengthening the rule of law. All members of the WCCJ, including those outside the Venice Commission, were encouraged to draw on this tool. The Checklist is currently being updated and will include new benchmarks on constitutional justice, further enhancing its value for courts worldwide.

The Congress reaffirmed the role of the WCCJ and its regional and linguistic groups in supporting courts under pressure — through solidarity, public statements, and engagement. The protection of judicial independence is an ongoing responsibility shared by all.

The participants of the 6th Congress expressed their sincere gratitude to the Constitutional Court of the Kingdom of Spain for generously hosting the 6th Congress, which was organised outstandingly.