



THE ASSOCIATION OF CONSTITUTIONAL JUSTICE OF THE COUNTRIES OF THE BALTIC AND
BLACK SEA REGIONS (BBCJ)

STATEMENT

ON CONDEMNING AND PERSECUTING AGGRESSION AND VIOLATIONS OF HUMAN RIGHTS IN THE OCCUPIED TERRITORIES OF BBCJ COUNTRIES

The Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions,

HAVING ACQUAINTED ITSELF with the information that

- On 21 March 2018, the Parliament of Georgia adopted the Resolution on the Gross Violation of Human Rights on the Occupied Territories of Abkhazia and South Ossetia/Tskhinvali Regions of Georgia by the Russian Federation and on the “Otkhozoria-Tatunashvili List”, in which it condemned the occupation of the Georgian regions of Abkhazia and Tskhinvali (South Ossetia) by the Russian Federation as well as gross violations of human rights of Georgian citizens in the occupied regions.
- On 6 March 2018, the Public Prosecutor’s Office of Ukraine has instituted criminal proceedings against the judges of the Constitutional Court of the Russian Federation for their involvement in committing aggression against Ukraine.
- On 21 July 2017, the Parliament of the Republic of Moldova passed the Declaration on the withdrawal of Russian military forces from the territory of the country, in which it, *inter alia*, declared that the continuous stationing of the troops of the Russian Federation violates the Constitution of the Republic of Moldova, in particular the constitutional provisions on the independence, sovereignty, territorial integrity and permanent neutrality of the Republic of Moldova, as well as international law. The latter Declaration followed and was in line with judgment No. 14 of 2 May 2017 of the Constitutional Court of the Republic of Moldova.

FOLLOWING the principles proclaimed in the Declaration on the Establishment of the Association of Constitutional Justice of the Countries of the Baltic and Black Sea Regions (hereinafter referred to as “the Association”), *inter alia*, respect for the independence, sovereignty and territorial integrity of states and respect for the rule of law;

UNDERLYING the special role of constitutional courts in ensuring the rule of law, which is inseparably linked to respect for international law and other European democratic values;

TAKING INTO ACCOUNT that the annexation of Crimea and the occupation of Georgian, Moldovan and Ukrainian territories by the Russian Federation constitutes a grave breach of international law and an act of

aggression, more than once denounced by the United Nations General Assembly, the Parliamentary Assembly of the Council of Europe and other international bodies;

REAFFIRMING the Joint Statement concerning Respect for Territorial Integrity and International Law in Administering Constitutional Justice (Batumi Resolution), which was signed by the authorised representatives of the Constitutional Courts that are members of the Association and condemned the opinion of the Constitutional Court of the Russian Federation of 19 March 2014, whereby the preconditions had been created for the formal annexation of Crimea, which is part of the territory of Ukraine;

NOTING that there can be no greater discredit to constitutional justice than the adoption by judges of a decision of a knowingly criminal nature, resulting in the destruction of international order and thousands of victims;

REITERATING the position expressed in the resolution adopted at the 2nd Congress of the Association to condemn the use of constitutional justice for the internal legalization of grave breaches of international law;

EMPHASISING that the inevitability of responsibility for aggression is an essential precondition for ensuring international peace and security and the prevention of international crimes;

WELCOMES AND STRONGLY SUPPORTS the efforts of Georgian, Moldovan and Ukrainian authorities in condemning the Russian Federation for the aggression and assault on sovereignty and territorial integrity of Georgia, Republic of Moldova and Ukraine as well as violation of human rights in the occupied territories thereof, and in persecuting those responsible for these crimes;

CALLS ON other constitutional justice institutions not to remain indifferent to aggression and other international crimes.

Tbilisi, 4 April 2018,

Zaza Tavadze,

Acting President of the Association of Constitutional Justice
of the Countries of the Baltic and Black Sea Regions
President of the Constitutional Court of Georgia