

The Constitutional Court of Thailand and Development through the Venice Commission and Konrad Adenauer Stiftung

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The Constitutional Court of Thailand was established in 1997 with jurisdiction to adjudicate and rule on constitutional cases. Thailand is one of many other countries that have a separate constitutional court rather than delegating constitutional judicial powers to supreme courts. The progression of constitutional courts is a result of addressing the improvement of democratic institutions and the protection of human rights. As part of the development of constitutional courts, events at an international level have been taking place to develop ties with other regions of the world and to share experiences. Organizers of such events include the Venice Commission and the Konrad Adenauer Foundation who have significantly contributed to the development of constitutional justice between constitutional courts and equivalent bodies in Europe and abroad.

The Venice Commission is the Council of Europe's advisory body on constitutional matters. Since 1990 after the fall of the Berlin Wall, the commission has played an important part in the adoption of constitutions that meet the standards of European constitutional heritage. The primary objective of the Venice Commission is to assist and advise individual countries on laws that are essential for the democratic functioning of institutions and the protection of human rights. The working method taken by the commission when providing opinions is by appointing a working group of rapporteurs (drawn from its members) which advises national authorities in the preparation of the relevant law. Other important activities of the Venice Commission include taking part in drafting legislative text in elections and referendums, co-operation with constitutional courts and ombudspersons (public officials who act as an impartial intermediary between the public and government), and engaging in transnational studies, reports, and seminars.

The Konrad Adenauer Foundation (KAS) is a German political foundation that hosts more than 200 projects in around 120 countries to promote democracy and the rule of law, social and market-economic structures, and human rights. It is a think tank that researched scientific fundamental concepts and current analyses to offer a basis for possible political action. KAS also organizes conferences and events which provide a venue for exchanging viewpoints and experiences. To foster peace and freedom KAS encourages a continuous dialog at the national and international levels as well as the exchange between cultures and religions. KAS is guided by the conviction that human beings are the starting point in the effort to bring about social justice and democratic freedom while promoting sustainable economic activity. The guidance provided based on political know-how and knowledge facilitates to shape the globalization process along more socially equitable, ecologically sustainable and economically efficient lines.

An event that the Constitutional Court of Thailand has actively been engaged in is the World Conference on Constitutional Justice organized by the Venice Commission. The first congress in 2009 was held in Cape Town, South Africa and topics related to "Influential Constitutional Justice- its influence on society and on developing a global jurisprudence on human rights" were discussed. The second congress in 2011 in Rio de Janeiro, Brazil discussed "Separation of Powers and Independence of Constitutional Courts and Equivalent Bodies". In cooperation with the same participants but on a regional basis, Thailand has been part of the Preparatory Committee of the Association of Asian Constitutional Courts and Equivalent Institutions organized in conjunction with KAS. The Association has finally been established and as part of the seven founding members (Indonesia, Malaysia, Mongolia, the Philippines, Thailand, Uzbekistan and South Korea) close cooperation in constitutional matters will be enabled.

International cooperation with the Venice Commission and KAS will have many advantages for Thailand in terms of promoting the rule of law, democracy, and human rights. Experience sharing, learning about interesting cases and legislatures contribute to the ongoing development of constitutional adjudication. In particular, the Konrad Adenauer Foundation's (KAF) office in Thailand conducts projects through governmental institutions, political parties, and handpicked elites to build strong partnerships through ongoing cooperation. An exchange of visits at all levels fosters this development and programs from international contacts pave the way for opportunities in scholarships and material support for gifted young people and future law practitioners. KAF internships for students of political, economic or social sciences as well as jurisprudence are also available to enhance skills through KAF events, scientific research, and preparation of political reports, and essays.