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**Title: Is there a global constitutional law? The case of the right to the truth**

Keywords: right to the truth – judicial dialogue – cross fertilization – global law

Our ever-changing world is comprised of a multitude of separate legal systems as well as of a plurality of legal actors. This fragmented system, however, lacks a common constitutional basis: not only there is no common constitutional text, but there are still no shared supreme principles guiding states, international organizations and private entities. In other words, general principles of international law do not always find the same enforcement within supranational and national legal systems. In parallel, constitutional norms – specifically constitutional guarantees of fundamental rights – are not always transposed with the same efficiency into different geopolitical contexts or supranational and international legal orders. The extreme diversity of this plurality of legal systems and their continuous and always deeper interactions prompted a discussion on the opportunity of the establishment of a global legal system and, as a consequence, of a global constitutional law.

The main issue that needs to be addressed is whether such a peculiar legal order has actually been established. The task is nothing but challenging. However, if one tackles the matter from a specific and defined perspective, the chances to provide a satisfactory answer could be higher. The right to the truth might be that very viewpoint. As a matter of fact, an embryonic formulation of the right to the truth made its first appearance in international humanitarian law. From there, due to the developing of transitional justice procedures throughout Latin America, the right at stake made its way into international law. Specifically, it found an explicit recognition within soft law instruments of the General Assembly of the UN, as well as within the reports of the Human Rights Committee, to be finally enshrined within a binding International Convention. Alongside its development on the international platform, the right to the truth was gradually recognized as an autonomous right by the Inter-American Court of Human Rights, whose case law went on to influence that of several Latin American Constitutional and Supreme Courts (such as the Colombian Constitutional Court and the Constitutional Tribunal of Peru). Eventually, the right to the truth has been recognized by the European Court of Human Rights, thanks to an unusual cross fertilization that saw the European Court as the receiving part of the judicial dialogue. There, the right at hand moved from its usual allocation within the transitional justice context and its scope of application has been expanded to counterterrorism measures such as extraordinary renditions. Finally, the Inter-American jurisprudence influenced western national courts as well, where the scope of application of the right to the truth has been further extended to include all human rights violations perpetrated by the state or agents thereof. Specifically, an Italian civil court ruled that the right to the truth is an autonomous fundamental constitutional right.

Alongside the jurisprudential development of the right to the truth and, consequently, its circulation within the case law of a variety of courts all over the world, this very right – *rectius* its collective dimension – has been enforced through the mechanism of truth commissions. This semi-judicial bodies have been established in Latin American countries, as well as in Asian, African and even in European states, with the purpose of discovering and disclosing the truth on past events that amounted to patterns of human rights abuses.

The double circulation of the right to the truth – due to the judicial dialogue among courts and the establishment of truth commissions – paved the way for it to be regarded as a potential example of global constitutional law. Its contents, as well as the mechanisms to ensure its enforcement, are the same regardless the peculiar legal system that is taken into account. However, the right at issue is still strongly connected to the context of transitional justice and, at the same time, western democracies are reluctant towards its full recognition. Though, as the European and Italian cases show, its scope of application is gradually expanding, and truth is making its way within the case law of courts in “mature democracies”. For the right to the truth to be effectively regarded as a concept of global constitutional law, both state legislators and courts, as well as supranational actors need to enhance its protection and realize that said right is a fundamental tool in the fight against all human rights violations perpetrated by state agents.