



MINUTES OF THE
MEETINGS OF THE CENTRAL COUNCIL – NUR-SULTAN (KAZAKHSTAN)
Monday, 16th September 2019 (10.00 – 13.30)
Tuesday, 17th September 2019 (09.00 – 13.00)
Thursday, 19th September 2019 (09.00 – 13.00)

Session of 16 September 2019

Present:

- the President, Mr. Tony Pagone;
- the First Vice-President, Mr. José Manuel Igreja Matos;
- the Vice-Presidents Ms. Allyson Duncan, Mr. Rafael De Menezes, Mr. Đuro Sessa and Mr. Mikael Sjoberg;
- the Honorary Presidents Mr. Sidnei Beneti, Mr. José Maria Bento Company, Mrs. Fatoumata Diakité, Mr. Gerhard Reissner and Mr. Günter Woratsch;
- the Secretary-General, Mr. Giacomo Oberto;
- the Deputy Secretaries-General, Mr. Lucio Aschettino, Mr. Galileo D'Agostino and Mr. Raffaele Gargiulo;
- the IAJ representative at the UN seats in Geneva, Mr. Pierre Zappelli;
- the delegates of the following national associations:

ARGENTINA	LIECHTENSTEIN
ARMENIA	LITHUANIA
AUSTRALIA	LUXEMBURG
AUSTRIA	MALI
AZERBAIJAN	MOLDOVA
BELGIUM (PROXY TO FRANCE)	MONGOLIA
BERMUDA	MONTENEGRO
BOSNIA HERZEGOVINA	MOROCCO
BRAZIL	(THE) NETHERLANDS
BULGARIA	NEW ZEALAND (OBSERVER)
CANADA	NIGER
CHILE	NORWAY
COSTA RICA	PANAMA
CROATIA	PARAGUAY
CZECH REPUBLIC	PERU
DENMARK	POLAND
ECUADOR (PROXY TO PARAGUAY)	PORTUGAL
ESTONIA	REPUBLIC OF CHINA - TAIWAN
FINLAND	ROMANIA
FRANCE	SENEGAL
GERMANY	SERBIA
GUATEMALA (PROXY TO COSTA RICA)	SLOVAKIA (PROXY TO HUNGARY)
GREECE	SLOVENIA
HUNGARY	SOUTH AFRICA
ICELAND	SPAIN
IRELAND	SWEDEN
ISRAEL	SWITZERLAND

ITALY	TUNISIA
IVORY COAST	UKRAINE
KAZAKHSTAN	UNITED KINGDOM
LATVIA	USA
LIBERIA	

President Pagone opened the meeting of the Central Council at 10.00, by welcoming all present.

1. Checking the votes and proxies;

The Secretary-General carried out a check on votes and proxies: 62 members were present (in attendance or by proxy). The proxies were the following:

- from the association of Belgium to the Association of France;
- from the association of Guatemala to the Association of Costa Rica;
- from the association of Slovakia to the Association of Hungary.

2. Appointment of auditors to examine the accounts and the financial report and to report;

The Assembly unanimously appointed Mr. Walter Barone (Brazil) and Ms. Kristina Eidsvik (Canada) as auditors responsible for scrutinising the annual accounts and financial report and for reporting on it to the Central Council.)

3. Approval of the minutes of the meeting held in Marrakesh;

President Pagone recalled that the National Associations received the minutes of the CC meeting in Marrakech and that they made no remarks. The Assembly submitted no objections; therefore, the President stated the minutes of the meeting held in Marrakech as unanimously approved.

4. Possible discussion on:

4.1. written report of the President of the I.A.J.;

The President said that he had a very good collaboration to various bodies connected to the United Nations. The UN Special Rapporteur on the independence of judges and lawyers (Mr. Garcia-Sayan) organized a special meeting of about 30 experts to consider the text of the 1985 United Nations Declaration concerning the independence of the judiciary. The IAJ was represented by him, first Vice-President Jose Igreja Matos, Secretary-General Giacomo Oberto and Vice-President Allyson Duncan. A useful report was produced which the President recommended the delegates to read. The focus was upon accountability of judges which, however, can at times be used as an instrument for interfering with independence while it should be used to establish whether judges are acting independently.

He attended the meetings of the African and European Regional Groups, that proved to be vibrant and active but, unfortunately, he was not able to attend the IBA meeting.

He mentioned a new engagement for the IAJ, whose representative participated in a meeting of the Commission on international trade law (UNCITRAL) concerning the enforcement of judicial orders in shipping law.

Finally, he recalled the speech he gave at a TedX event in Modena, Italy, on May, where he informed the audience about the IAJ and the importance of the independence of the judiciary and the rule of law.

4.2. written report of the Secretary-General;

Secretary-General Oberto pointed out that his written report and all other materials were available in the IAJ website and recommended to use this tool as a support to the participation of the delegates in the annual meeting. He announced that URL was modified from http into https for security reasons.

He passed on Honorary President Mura's apology for not being able to attend the meeting, because of his commitments as member of the panel charged to choose the new European Prosecutor.

Mr. Oberto announced then that the UN Special Rapporteur unfortunately was not able to travel to Nur Sultan.

4.3. Written reports of the Vice-Presidents responsible of the Regional Groups and their reports on the Regional Groups meetings in Nur-Sultan;

IBA: Mr. De Menezes thanked Mr. Francisco Silla (Spain) and the IAJ Secretariat for the support received along the year. He then highlighted some point of his report, including: the adoption of several statements supporting judicial independence and human rights in Ecuador, Costa Rica, Peru, Chile, Puerto Rico, Spain, Venezuela and Guatemala; the dissemination within the Group of the researches and requests from the United Nation Office on Drugs and Crime about judicial integrity, use of social media by judges, fight against corruption; the activities carried out and planned by the Group concerning the fight against corruption; the close links of the Group with similar regional organizations, such as Latin American Judges Federation (FLAM), Portuguese Speaking Judges Union (UIJLP) and Ibero American Judges Union – UIJ.

ANAO: Ms. Duncan highlighted some activities carried out by the Group: as to the judicial training, the ANAO endorsed the declaration on judicial training principles and established a WG on judicial training. Mr. Neil Kerracher (Australia) participated on behalf of the IAJ in the UNCITRAL meeting discussing the registration of ships after a judicial sale and Ms. Grace Lee (Taiwan) attended a UN conference on gender equity in the context of judicial integrity.

ANAO members were appointed rapporteurs to the applications for membership of Lebanon and New Zealand, to be discussed in this meeting, and of Philippines and Yemen.

Ms Duncan added that, after several years in which the mid-year meeting was held virtually via Skype, the Group was planning to hold a meeting on 18-20 May 2020 in Washington.

African Group: President Pagone announced to the Central Council that Vice-President Aidouni, Chairman of the African Group, was not attending the meeting because he had not been given permission from the Minister of Justice to travel. The Secretary General read a letter sent by Mr. Aidouni and his report on the activities of the Group.

EAJ: First Vice-President Igreja Matos referred to his written report and highlighted four topical issues. The first was the adoption by the Group of a resolution on Poland; the second was that the Group mandated the EAJ President to send to local authorities a letter on the evaluation committee established in Moldavia, on the reduction of retirement pensions decided in Romania and on the activities of the President of the National Judicial Office in Hungary; the third was good news concerning the agreement reached with the Presidents of ENCJ and the European Network of Supreme Courts Presidents for a meeting with the new President of the EU Commission; the fourth theme were thanks he considered appropriate because the end of his term as President was approaching: to the Vice-Presidents Mr. Sessa and Mr. Sjoberg and to Vice-President Aidouni, who was not present because of political interferences and who truly believes in the need to fight for independence because times are not easy for judges.

5. Salutations from IAJ invited guests in attendance;

The discussion of the matter was postponed to the following day.

6. Applications for membership: Lebanon and New Zealand;

Vice-President Duncan summarized the report on the application, since none of the rapporteurs (Mr. Aidouni and Mr. Morales) was attending the meeting.

The French delegate asked if there was any specific reason for which there were no Lebanese delegates attending the meeting and President Pagone answered that the IAJ did not receive any specific communication and that probably they did not know that their presence was necessary.

The delegates of Tunisia, Morocco and South Africa took the floor to endorse the admission of the association.

The President called for an open vote and the Central Council approved, with four abstentions, the admission of the Lebanese association to the IAJ.

President Pagone then invited the delegate of New Zealand to leave the hall. The rapporteur, Mr. Martin, presented his report.

President Pagone called for an open vote and the Central Council unanimously approved the admission of the association of New Zealand to the IAJ.

The delegate of New Zealand gave a thank-you speech.

7. Vote on the proposed amendments of IAJ Constitution and Regulations;

President Pagone pointed out that last year the Central Council decided to postpone the examination of the amendment proposed by the Presidency Committee to article 4 of the Constitution concerning the possibility to admit to the IAJ “international associations or representative groups of judges”. President Pagone stressed that there were no pending applications for membership by any NGO and added that, in the meanwhile, new proposals of amendment were made.

Mr. Picken took the floor to explain the rationale of the amendment proposed by some European Associations, which foresees the possibility to admit “regional associations or groups representing judges from the Caribbean and Pacific Islands”. The representative of Bermuda took the floor to explain the importance of the amendment for Caribbean countries. The delegate of Spain noted that the Constitution should have a general character and therefore the mention of a specific region was not fair. The US delegate asked what would happen to the membership of Bermuda should the amendment entry into force and President Pagone replied that the association would remain member unless it would decide on the contrary. The delegate of New Zealand expressed his support for the amendment to help little State-islands’ judiciaries fighting for independence. Honorary President Woratsch, on behalf of the Committee of Honorary Presidents, highlighted the difficulty in drafting a report on the several countries, with no local associations, no seat, no unique judiciary to evaluate and stressed the risk of opening the way to the admission of more than one association per country. The delegate of Taiwan expressed some concerns about the meaning of the adjective “Pacific” that, as such, could include Taiwan, and President Pagone replied that the association’s membership would remain unaffected and safe.

President Pagone then recalled the rule under art. 12, Para. 2, of the Constitution, stating that “in order to amend the Constitution there must be a vote in favor by majority of not less than two-thirds of the votes cast and of not less than half the members of the Association”, what meant 46 votes in favour.

The delegate of Netherlands underlined that the possible approval of the amendment concerning “regional” associations would make it necessary to modify the Constitution in any part where it refers to “countries”.

The delegate of Switzerland said that the Central Council should compare the two proposals of amendment and then compare the winning proposal with the original text. President Pagone explained that the procedure envisaged, on the contrary, first a vote on the sub-amendment.

President Pagone then called for an open vote on the amendment concerning the possibility to admit in the IAJ “regional associations or groups representing judges from the Caribbean and Pacific Islands”: out of 57 delegations present in the hall at that moment, there were 43 votes in favor and 14 abstentions, therefore the amendment was rejected.

President Pagone then called for an open vote on the 2018 proposal by the PC concerning the possibility to admit as affiliate members “international associations or representative groups of judges”: out of 56 delegations present in the hall at that moment, there were 4 votes in favor, 51 against and 1 abstention, therefore the amendment was rejected.

The session was closed at 12.45.

Session of 17 September 2019

Present:

- the President, Mr. Tony Pagone;
- the First Vice-President, Mr. José Manuel Igreja Matos;
- the Vice-Presidents Ms. Allyson Duncan, Mr. Rafael De Menezes, Mr. Đuro Sessa and Mr. Mikael Sjoberg;
- the Honorary Presidents Mr. Sidnei Beneti, Mr. José Maria Bento Company, Mrs. Fatoumata Diakit , Mr. Gerhard Reissner and Mr. G nter Woratsch;
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LATVIA	USA

The meeting started at 9.00 a.m.

President Pagone announced that the Assembly would examine again item 7 of the agenda.

Mr. Picken proposed an amendment to article 4 which could resolve the doubts expressed by some delegates during yesterday's debate. The Presidency Committee discussed whether this new amendment could be discussed and decided not to do so on the basis of article 12 of the Constitution: a vote had been held the day before and the discussion was closed, so that the rejected amendment proposal could not be amended any more.

A debate started on the exact meaning of Paragraph 2 of article 12, in the part concerning the vote by not less than "half the members of the Association". According to some delegates, "half the members" does not mean half of all the members, but rather half of the members entitled to vote. President Pagone said that in case of a dispute, like this, the safest course was to be cautious and, therefore, to treat the vote as having failed. Mr. Picken stressed that the hall deeply debated the proposed amendment concerning the admission of Pacific and Caribbean associations and it definitely would have approved it overwhelmingly, if it were not for the rule concerning half the votes of the members. The new proposal he was suggesting was meant to calm the dissent and paragraph 5 of article 12 allowed sub-amendments subject to the approval by other Presidency Committee. The delegate of Croatia recalled what was the purpose of the rejected proposal and proposed to cancel the reference to Pacific and Caribbean and to write instead "other regions where there are no national associations". President Pagone objected that without the reference to Caribbean the problem of the admission of little Caribbean Island would stay unsolved because of the membership of Bermuda. He added that he was well aware of the support for advancing a fundamental goal of the IAJ - to enhance independence around the world, especially in those places

where there are no resources to create a national association – but he considered also important to think carefully about how the IAJ could fulfill this view.

President Pagone then passed to the examination of the proposed amendment to the monitoring procedure envisaged by article 13 of the Regulations. Last year the Central Council decided to postpone the examination of the amendment proposed by the Presidency Committee and, in the meanwhile, a new proposal of amendment was made. Vice President Sessa explained the rationale of the new proposal (to check 1/3 of member association per year). First Vice President Igreja Matos added that the current regime was not efficient, mainly because of a lack of human resources to deal with it. The new amendment was a compromise, maybe not ideal, but going in the right direction. President Pagone stressed that the current process was indefensible and did not reflect favorably on the IAJ. He also recalled that the voting to amend the Regulations was different, according to paragraph 3 of article 12 of the Constitution (“there must be a vote in favour by the majority of member associations”).

The delegate of Netherland proposed to add “and results” under letter b of the proposed new questionnaire and the adjective “sufficient” to the report mentioned in paragraph 6 of article 13.

Mr. Sessa asked how to establish the content of “sufficient” and the Dutch delegate replied that the idea was to make the monitoring easier, since many associations refuse to answer some questions, while this way the Commission would have a criterion. The delegate of France noted that this specification was an incentive for all associations to fill out the form properly.

President Pagone called for an open vote on the Dutch proposal to add “sufficient” to the report envisaged in para. 6 of article 13. Out of 52 delegations present in the hall, 19 were in favor, 15 against and 18 abstained. The proposal was thus rejected.

President Pagone then called for an open vote on the original proposal of amendment for a monitoring concerning 1/3 of members per round and this proposal, out of 53 delegations present in the hall, received 52 votes in favor and 1 abstention, and was thus approved.

The assembly then debated on the Dutch proposal to consider also the “results” in the context of the questionnaire. The British delegate asked whether it meant achievements or something else. The German delegate noted that the questionnaire’s aim was to understand whether a member complies with the IAJ Constitution while it may not depend on the association if it achieves positive results with its efforts or not. The Swiss delegate added that the evaluation of an association should be limited to its activities, because they are sufficient to assess the engagement to foster IAJ goals while the mention of the results would raise the threshold in an unnecessary way. Honorary President Reissner noted that it was curious to simplify the questionnaire and at the same time introduce such a heavy requirement. The Dutch delegate explained that the purpose of the proposal was to encourage associations to be more critical towards themselves and not to blame others for the situation in their countries.

President Pagone then called for an open vote on the Dutch proposal to add “and results” to letter b of the questionnaire. Out of 52 delegations present in the hall, 6 were in favour, 44 against and 2 abstained. The proposal was thus rejected.

President Pagone then called for an open vote on the original proposal of amendment of the questionnaire: out of 53 delegations present in the hall, 52 voted in favor and 1 abstained, therefore the amendment was approved.

8. Information on the situation in Turkey and Annual contribution to the IAJ of YARSAV;

First Vice President Igreja Matos informed the assembly about the Provident Fund and how it was spent. President Pagone explained that the EAJ paid the costs for the administration of the Fund, which determined the consumption in full of the annual budget of the Group. The Presidency Committee therefore decided that, for this year, the IAJ will absorb with its own budget the expenses for the salary of the assistant to the Committee of the Fund.

9. Priorities for the work of the Presidency Committee and I.A.J. for the triennium 2018-2020

9.1. Encouraging the creation of associations of judges;

Vice President Sjoberg said that the WG had a meeting in Nur Sultan where it decided to draft a report stating the right of judges to gather in associations, describing how one could organize an association and then proposing a model statute.

9.2. Fight against corruption in the judiciary;

Mr. Igreja Matos announced that on 4-6 December this year there will be a seminar on corruption in the Dominican Republic, with the participation of Mr. Garcia-Sayan and European speakers.

9.3. Judicial education;

Vice President De Menezes said that the WG was working on possible ways to give Study Commissions a new lease of life.

10. Budget of the International Association of Judges;

President Pagone informed the Assembly that the Presidency Committee proposed to allocate 20,000 euro from the reserves to finance training and education activities of the Regional Groups (5,000 euro available for each Group): this money will not generate reserves for the Groups and whatever will not be spent will return to the general budget.

The IAJ Treasurer, Mr. D'Agostino, took the floor to explain to Central Council the financial report, the balance sheet and the budget for next year. He added that the names of the Associations that settled their contributions after the closing of the financial year and before the start of the Central Council will be listed in an addendum to the financial report.

President Pagone thanked the Treasurer and the Assistants to the General Secretariat for the accurate keeping of the accounts.

The Central Council made no remarks on the report and, upon proposal of the IAJ President, unanimously approved it together with the draft budget for the year 2019-2020 (enclosed to these minutes).

11. Associations which have not paid their contributions for several years.

Secretary-General Oberto informed the Assembly that four associations might lose their membership next year if they will not settle their arrears.

12. Report by the auditors;

Mr. Barone and Ms. Eidsvik took the floor and congratulated the General Secretariat for the accuracy in the documentation. They reviewed all the documents and found that all expenses were justified by receipts and also the incomes. According to art. 5 of the Regulations, the auditors recommended the approval of the accounts. The Assembly unanimously approved the financial report and the budget for the year 2018-2019 and discharged the General Secretariat of any responsibility in this respect. President Pagone thanked the auditors.

Mr. Picken was allowed to raise a matter out of order because delegates might need to leave the meeting, and took the floor to suggest that the IAJ finds a way to providing a link with lawyers in countries where judges could face problems, like those Vice President Aidouni was experiencing now. The IAJ could establish a WG to explore whether it would be a good idea to facilitate assistance from others. The IAJ cannot itself directly give legal advice but could provide contacts with lawyers who are in a position to give advice. In London, for instance, there is the seat of Amnesty International and other similar organizations, and Mr. Nicholas Blake, a former delegate to IAJ meetings, is member of MATRIX and expert on human rights. London is a place where there are lots of potential resources and Mr. Blake, a retired judge, could chair the WG.

The proposal was therefore that the Central Council recommends that the Presidency Committee establishes a WG chaired by Mr. Blake to explore the possibility of facilitating assistance to judges facing challenges to their functions.

Some delegates mentioned institutions like Judges for Judges or Fair Trial, and Mr. Igreja Matos added that in Poland there was a small group of lawyers (6) assisting local judges under arbitrary disciplinary proceedings.

The Central Council unanimously approved the proposal of the Presidency Committee establishing a Working Group.

13. I.A.J. and others:

13.1. I.A.J. and Hague Conference;

Mr. Van Osch referred to his written report and especially mentioned the work done in the context of the 22nd Diplomatic Session about the draft Convention on the Recognition and Enforcement in Civil or Commercial Matters (so-called “Judgment Project”), where he took the floor, only judge present at the meeting, to underline the importance of the Convention as it reflects mutual trusts between judiciaries.

13.2. Possible discussion on written reports by I.A.J.’s Representatives at the U.N.O.;

Ms. Tatiana Balisova, UNODC, took the floor and informed the assembly of the activities of the Global Judicial Network.

President Pagone then gave the floor to Honorary President Reissner and to Mr. Zappelli, who informed the Assembly about their respective activities at the UN seats in Vienna and Geneva.

13.3. Possible discussion on written report by the Executive-President of the Foundation “Justice in the World”;

President Pagone stressed that there had been an uncertain relationship between the IAJ and the Foundation for a number of years. After very strong relations at the beginning of the life of the Foundation, in more recent times uncertainties had emerged about debts and whether they should be paid by the IAJ or IAJ Presidents. The Presidency Committee met the Executive President of the Foundation and found that the debt was very low, possibly in the order of 3,000 euro. Under Spanish law neither the IAJ nor the Presidents of the IAJ are responsible for any part of the debt. President Pagone informed the CC that the PC had decided not to continue the past relationship with the Foundation. The item of the Foundation will not be added to the agenda of the PC and the CC as a regular item. As to the award of the Prize, the PC decided that the IAJ would no longer continue with the presentation of the award.

Mr. Picken was again allowed to raise a matter under general business and highlighted that in the past two days some issues had arisen about the Constitution and he asked the Central Council to authorize the setting up of a WG to look up the Constitution in particular, but not only, with regard to the voting rights. Since there were different possibilities for interpretation, maybe the time had come to look at the Constitution to review how it works. He also said that he was available to chair the Group (as an alternative, he proposed another British delegate, Lord Brodie).

President Pagone said that it could probably be good idea to review the Constitution and adjourned the debate to Thursday.

The session was closed at 12.45

Session of 19 September 2019

Present:

- the President, Mr. Tony Pagone;
- the First Vice-President, Mr. José Manuel Igreja Matos;
- the Vice-Presidents Ms. Allyson Duncan, Mr. Rafael De Menezes, Mr. Đuro Sessa and Mr. Mikael Sjoberg;
- the Honorary Presidents Mr. Sidnei Beneti, Mr. José Maria Bento Company, Mrs. Fatoumata Diakité, Mr. Gerhard Reissner and Mr. Günter Woratsch;
- the Secretary-General, Mr. Giacomo Oberto;
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- the IAJ representative at the UN seats in Geneva, Mr. Pierre Zappelli;
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BERMUDA	MONGOLIA

BRAZIL	MONTENEGRO
BULGARIA	MOROCCO
CANADA	(THE) NETHERLANDS
CHILE	NEW ZEALAND
COSTA RICA	NIGER
CROATIA (PROXY TO SLOVENIA)	NORWAY
CZECH REPUBLIC (PROXY TO HON. PRES. WORATSCH)	PANAMA
DENMARK	PARAGUAY
ECUADOR (PROXY TO PARAGUAY)	POLAND
ESTONIA	PORTUGAL
FINLAND	REPUBLIC OF CHINA - TAIWAN
FRANCE	ROMANIA
GERMANY	SENEGAL
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ISRAEL	SWEDEN
ITALY	SWITZERLAND
IVORY COAST	TUNISIA
KAZAKHSTAN	UKRAINE
LATVIA	UNITED KINGDOM
LIBERIA	USA

The session started at 9.00.

14. Reports by the Presidents of the Study-Commissions. Selection of the new subjects;

President Pagone called on the Presidents of the four Study Commissions to report on the conclusions of the Commissions on their respective subjects:

- 4th Study Commission - Mrs. Julie Dutil: “Harassment, in a broad sense –moral and sexual– and its consequences on labour relations”
- 1st Study Commission - Mr. Walter Barone: “Social media and the judiciary: 1) how best to respond to unfair comments about judges made on social media; 2) use of social media by judges and courts: opportunity or danger”;
- 2nd Study Commission - Mr. Thomas Cyr: “Problems, large and small, in the financing of litigation”;
- 3rd Study Commission – Vice-President Mr. Dieter Freiburghaus: “The Media in Criminal Cases: Protecting the Integrity of the Proceedings and Communications with the Media”.

The Presidents also proposed the subjects to be dealt with by the Study Commissions in 2020:

- 1st Study Commission: “Disciplinary proceedings and judicial independence”;
- 2nd Study Commission: “How data protection rules are impacting on civil litigation”;
- 3rd Study Commission: “Communication in criminal court rooms”;
- 4th Study Commission: “Corruption in the workplace: How does it affect employees?”.

The Central Council approved the conclusions as well as the proposed topics for 2020.

15. Meetings of the IAJ in the next years

Ms. Adriana Orocu, President of the Association of Costa Rica, presented the Central Council the candidature to host the 2020 IAJ meeting.

The Central Council approved by acclamation.

The passage of the IAJ flag between Mr. Balken (Kazakhstan) and Ms. Orocu (Costa Rica) took place.

Ms. Orocu showed a video with the greetings by the President of the Supreme Court.

President Pagone thanked the association on behalf of the IAJ and granted the support of the Secretariat-General.

President Pagone then announced that there was also a proposal for the 2021 meeting.

Mr. Yaron Levi (Israel) took the floor to invite the Central Council to hold the 2021 meeting in Tel Aviv.

The Tunisian delegate expressed his disappointment at the choice of the 2021 venue so far in advance, which in his opinion had never occurred before. He stressed also that the President of the African Group was not present and asked to postpone the debate to the meeting in Costa Rica.

Mr. Michael Tamir, on behalf of the Israeli delegation, answered that the IAJ was a non-political organization and recalled that its association had informed the Presidency Committee already in May, this year, thus respecting the procedural rules to apply for the organization of an annual meeting. Also, the agenda for the Central Council announced meetings in following years, using the plural. Mr. Tamir underlined also that one year was not enough to organize a meeting.

President Pagone noted that the Presidency Committee always encouraged early candidatures and the Romanian delegate recalled that in the past this had happened regularly.

Several other delegates stressed, on one side, the apolitical character of the IAJ and the fact that also other countries were facing international disputes without affecting the ability of the national association to host a meeting and, on the other, the need to grant enough time to the hosting association to organize the event. Others underlined also that the candidature was proposed already in May and that the item in the agenda used a plural wording, therefore procedural objections were unimportant.

President Pagone then called for an open vote on the possibility for the Central Council to decide already this year the venue for the 2021 meeting. Out of 56 delegations present in the hall, there were 50 votes in favour, 3 against and 3 abstentions.

President Pagone then called an open vote on the candidature of Israel to host the 2021 IAJ meeting and the candidature was accepted with 52 votes in favor, 3 abstentions and 1 vote against.

The Israeli delegation thanked the assembly.

16. Miscellanea.

Mr. Larssen (Norway) took up Mr. Picken's idea on the changes to the Constitution stating the Norwegian support to the idea that the PC establishes a WG for the rules on voting. There was disagreement between common law and civil law countries in matter of interpretation, which should be avoided. The WG could limit its work to the voting only and it should be composed of more than one person speaking English but above all by people representing the two legal traditions. His proposal was that the CC requested the PC to establish a WG to inquire into the voting provisions for possible changes to the IAJ Constitution.

The British delegation supported the proposal and said that they were available to chair the Group.

The Spanish delegate underlined that not only the two legal traditions should be taken into account but also the various regions within them (for instance, the Mediterranean within the EAJ). He stressed also the importance of the participation of people who speak French, Spanish, Portuguese and Arabic.

The Romanian delegate suggested asking member associations their opinion on the need of a reform and on the purpose of the reform, reversing the procedure and giving the group some proposals to think about instead of suffering the consequences of their conclusions.

The delegations of Ireland and the Netherlands endorsed the Norwegian proposal and the Dutch delegation asked that the WG considers also whether other provisions should be changed.

The Serbian delegate was against the idea of changing the Constitution and stressed that it was not the first time that the IAJ Constitution was used to vote, therefore there was no need to change it.

The Italian delegate proposed to postpone the vote to the 2020 meeting after discussing the proposal in the Regional Groups, to better evaluate the purpose and the guidelines for the working group.

The Chilean delegate asked to consider a possible general reform of the Constitution to promote the membership of small countries.

Honorary President Woratsch said that the Council of Honorary Presidents was just evaluating whether the Constitution needed some amendments, not only with reference to the voting system

but also concerning the admission procedure and the sanctions for non-compliance with statutory duties. He announced the end of the works before the next CC meeting.

President Pagone then called the vote and the assembly approved the constitution of the WG with 45 votes in favor, 6 abstentions and 1 contrary vote.

President Pagone resumed the proposal by Mr. Picken to establish a WG to offer assistance to individual judges who find themselves in difficult positions because of their role, stressing that the IAJ cannot give legal assistance but may arrange some form of referral to pertinent contact points. The Central Council unanimously approved the proposal of setting up the WG.

The President of the Kazakh Association took then the floor to stress the need that the Universal Charter takes also into account the issue of insufficient pensions received by retired judges in many countries.

He then expressed the gratitude of his association for having had the opportunity to host the IAJ meeting. The delegates could discuss actual and important issues for all and could express and receive solidarity in the daily fight for the application of international standards for the benefit of all citizens.

President Pagone thanked the Kazakh Association and the staff for the perfect work done.

The meeting was closed at 11.45.

The President of the I.A.J.
Tony Pagone

The Secretary-General of the I.A.J.
Giacomo Oberto