



FOREWARD OF THE IAJ PRESIDENT

Dear Colleagues,

The International Association of Judges had a very special – I would dare to say, unique – year. 2022 will be, for sure, a year to remember in the long history of our institution.

After three slow years of enormous difficulties caused by the Covid-19 pandemic, it would be realistically impossible to have a better comeback to our normal activities, particularly regarding IAJ's General Assembly.

The meeting in Tel Aviv was a truly inspiring moment; I will cherish it for years to come as one of the most impressive of my professional career.

It was a blessed occasion to be "together again", the motivating title of the video produced by our Israeli Colleagues that was shown at the beginning of the opening ceremony (fully available on our website along with other information: www.iaj2022.com/gallery).

Judges from 71 countries assembled, in person, at the conference: the biggest event of IAJ ever. As pointed out by the "Jerusalem Post", our 64th General Assembly was marked as the largest global gathering of foreign officials in Israel since 1995.

The conference produced several key episodes in the context of the discussions maintained by the General Assembly, the Regional Groups, the Study Commissions or even in the interactions maintained during the institutional visits, namely to the Parliament or the Supreme Court. The large panel at the entrance of the Knesset welcoming the IAJ delegates is one of the expressive examples of the prominence attributed to the judges and to our international organization.

But allow me to underline just one of those outstanding moments: the ceremony of the delivery of the "Judicial Independence Awards" to Murat Arslan, Erika Aifan and Krystian Markiewicz.

All delegates from all continents expressed their recognition towards those brave defenders of judicial independence, in their respective countries.

In particular, when Honorary President Christophe Régnard took the floor and received the award ascribed to Murat Arslan, still suffering in prison for his courageous commitment to the Rule of Law, we all felt the symbolic importance of this exceptional moment. To celebrate the resilience of Polish judges and the leadership of Iustitia's

President and to remind, once again, the heroic attitude of Erika Aifan, along with other judges and prosecutors, in the battle against corruption in Guatemala were additional and substantiated reasons to describe the 64th Annual Meeting of the International Association of Judges as a memorable event in our 69 years of existence.

However, it must be said that the unequivocal success of Tel Aviv was already announced by the previous meetings organized by our Regional Groups. The conferences of Porto, São Paulo and Tunes, very participated and truly enthusiastic, were likewise outstanding demonstrations of the strength of our national associations, especially those who organized the events, and of the strong feeling of togetherness and solidarity that is, today, a distinctive mark of IAJ.

After the isolated pandemic years, IAJ achieved to re-emerge stronger than ever before; the mere reading of this Newsletter and the many events here portrayed are clear evidence of this affirmation. Constantly focused on our main mission: to protect Rule and Law and to affirm judicial independence.

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2023: the year of the 70th anniversary of the International Association of Judges.

The celebration is already being planned in coordination, in particular, with our distinct host for this year's General Assembly, the association of judges of Taiwan.

The festivities are entirely justified. IAJ managed to overcome multiple problems, having the art of achieving continuing growth, becoming today the biggest organization of judges in the world. However, we all are intensely aware that the more problematic challenges are still waiting ahead.

The present international context with the crisis of democracies, the arrival of populist autocracies – many of them conveniently disguised as liberal democracies – and the eruption of a war still dangerously plausible of becoming global are terrible pending menaces to the Rule of Law. For this reason, an unpredictable future demands from us, judges assembled in a worldwide organization, levels of resilience and determination comparable with the ones concretely shown in the year 2022.

Only then do we all meet the responsibility – and the encouragement – provided by seven decades of shared memories, unforgettable events and irrefutable achievements.

In the end, no matter what, an acute sense of reality accompanied with an ambitious dream for more, for better, for longer are always the key path for the future; thinking - like the Gods do – outside ourselves.

The right words are always told by the poets.

In case, by the Portuguese genius Fernando Pessoa:

*“Look at life from afar
Never question it
It can't tell you
Anything. The answer
Is beyond the gods*

*But serenely
Imitate Olympus
In your heart
The gods are gods
Because they never think of themselves.”*

José Igreja Matos
President of the IAJ

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**64TH IAJ ANNUAL MEETING IN TEL AVIV, ISRAEL
(SEPTEMBER 2022)**



From **September 18th to the 23rd** the Israeli Association of judges hosted the 64th IAJ annual meeting. In attendance

- the President, Mr. José Manuel Igreja Matos;

- the First Vice-President, Mr. Đuro Sessa;

- the Vice-Presidents Mr. Walter Barone, Ms. Allyson Duncan, Ms. Sabine Matejka, and Mr. Mikael Sjoberg;

- the Honorary Presidents Mr. Tony Pagone, Mr. Sidnei Beneti, Mr. Christophe Régnard, Mrs. Maja Tratnik, 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 delegates of 64 national associations.



President **Igreja Matos** opened the meeting of the Central Council at 9.00, by welcoming all present.

He then gave the floor to representatives of partner institutions and NGOs, who delivered their message by video - **Mr. Cheol-Kyu Hwang**, President of the International Association of Prosecutors, and **Mr. Javier Cremades**, President of the World Jurist Association - and in presence - **Mr. Ghennadie Barba**, representing OSCE-ODIHR, and **Ms. Ngozika Okaisabor**, representing the Judges Forum of IBA. **Ms. Tatiana Veres**, UNODC, prepared a paper that was printed and distributed to all delegates.

Mr. Oberto announced then that the UN Special Rapporteur on the independence of judges and lawyers unfortunately was not able to travel to Tel Aviv.

President **Igreja Matos** greeted the **Ukrainian** judges attending the meeting and reassured them about the solidarity and togetherness they will receive from the IAJ.

The President then read a letter from the UN Special Rapporteur, **Mr. Garcia Sayan**.

The President highlighted that the visibility and effectiveness of the IAJ's action depend on the ability of its member associations to create events and enhance participation. He described three types of activities that occurred during the year. First, the associations of **Tunisia** and **Guatemala** faced difficult times and requested the presence in loco of the IAJ, that sent its representatives on special missions. A second group of events saw member associations involved in facilitating the work of the IAJ: this was the case of the **Swedish Association**, that helped organising side-events during the UN Stockholm Conference on climate change; of the associations of **Germany** and **Costa Rica**, that financed the **special mission in Guatemala**; and of several other associations that organised conferences and events that gave the IAJ President the opportunity to speak about the role and activities of the IAJ. Last but not least, the President thanked the associations of **Portugal, Tunisia, Brazil** and **Israel** for their availability to host the 2022 regional and world meetings, the associations of **Greece, Costa Rica, USA, Mali** and **Taiwan** for their commitment for the 2023 meetings and the Polish and South African associations for their availability to host the EAJ and the CC meetings in 2024.



Secretary-General Oberto referred to his written report and highlighted three main issues for the attention of the Central Council as legislative body of the IAJ.

The first was the monitoring mechanism, that was showing to be too complex as the General Secretariat kept receiving late replies to the questionnaire. Mr. Oberto suggested to evaluate a possible different scheme and to establish only an ad hoc monitoring to be set up only in exceptional cases.

The second point Mr. Oberto highlighted was the necessity to open the IAJ to the **external world**: we receive requests from judicial organizations that do not comply with the strict requirement for membership, such as regional associations, the associations of judges

from a part of a country (like the Kurdistan), the associations grouping not only judges but also other professionals of law or the associations representing supra-national jurisdictions: for all these cases, a special permanent observer status could be set up, as it was proposed in the past.

The third point was related to the necessity of increasing the IAJ **annual fees** paid by national associations, as the dimensions of the IAJ are growing and so do expenses. Actually, annual fees have not been raised for more than twenty years.



Vice-President Marcelle Kouassi highlighted in particular that, upon request of the national association of South Africa she endorsed the candidature to the post of Chief Justice of South Africa of the President of the Court of Appeal Ms. Mandisa Maya, who was appointed Deputy Chief Justice.

Ms. Kouassi then mentioned the crisis in **Tunisia** opposing the President of the Republic and the judiciary of the country. She worked in closed contact with the IAJ President and Secretary-General and, on 11 February 2022, she issued a declaration denouncing the dissolution of the Tunisian High Council for the Judiciary and its replacement by a new HCJ entirely appointed by the President of the Republic. Ms. Kouassi underlined that, notwithstanding such a difficult context, the

Tunisian Association of Judges organised the springtime meeting of the African Group in Tunis, in May.

Following the dismissal on no grounds of 57 judges in June, the Presidency Committee issued a declaration calling for the immediate revocation of the decree and reaffirm international standards on disciplinary proceedings against judges. Notwithstanding these initiatives, the situation in the country continued to deteriorate and finally the Presidency Committee decided, with the agreement of the Tunisian Association, to send a mission to the country, which was carried out by **Honorary President Christophe Régnard**, who will report to the Central Council later during this meeting.



Vice-President Allyson Duncan highlighted the **geographic scope** of the ANAO Group, which presented challenges in three particular areas: the first is that the Group covers almost all of the world time zones which makes it impossible to find a time when the associations can all convene on-line; second, the Group comprises a wide variety of government structures and judicial systems which makes it difficult to find common ground of interests or concerns to discuss; finally, the Group is susceptible to pressures that are international in scope, such as the covid pandemic that made even more difficult than usual to travel to meet. The last attempt to meet in presence occurred in the 2020 onset of the pandemic and therefore had to be cancelled. The Group is planning to meet in 2023 for what will be the first springtime

meeting in a considerable lapse of time. The agenda will focus on issues involving a return to the courtroom in the wake of covid, including best practices, which to keep and which to discard; stress among judges in the wake of the Pandemic; and judicial civility in light of the stress engendered by the Pandemic.



First Vice-President Duro Sessa informed the Central Council about a visit of the European Court of Justice to the Supreme Court of Croatia: on that occasion he met the **ECJ President Koen Lenaerts** and discussed with him the issue of the breach of independence of the judiciary all over Europe in which regard the activity of the ECJ in framing the principles is of utmost importance.

Linked to this issue is the unprecedented initiative of four European associations of judges – EAJ, MEDEL, Judges for Judges and the European Association of Administrative Judges – to launch a **lawsuit against the European Council** decision to unblock Recovery and Resilience funds for Poland even though the Country did not meet the milestones set up by the Commission regarding the independence of the

judiciary. The **Board of the EAJ** had a meeting at the beginning of September with **Commissioner Reynders** where this lawsuit was discussed. Also, the Board of the EAJ is trying to establish a formal dialogue with the European Parliament and in particular with the **LIBE Committee** that deals with democracy, freedom of speech, freedom of the media and independence of the judiciary.

President Sessa mentioned also an initiative still under study to add to the European Convention for the safeguarding of **human rights** and **fundamental freedoms** a Protocol collecting the principles on the independence of the judiciary set up by the European Court for human rights in its rulings.



Vice-President Walter Barone highlighted in particular that the safety of judges and prosecutors in the performance of their duties is still an issue in many countries of the IBA region. In 2022 a **Paraguayan prosecutor** and an **Ecuadorian judge** were murdered because they were working on criminal cases related to organised crime.

The second point to be noted is the situation of judicial independence in **El Salvador**: last year, the party of the President, that has the absolute majority in the Parliament, approved the dismissal of five Supreme Court justices out of 15 in just one day, without due process and without indicating grounds for the decision. It is known however that these judges, who served in the constitutional panel, took decisions against measures taken by the executive branch during the

pandemic, thus stoking the anger of the President who went so far as to virtually threaten them to death. The five justices were replaced the very same day by others appointed by the ruling party. Later on, the Parliament passed a law imposing the mandatory retirement of judges aged 60 or older.

The measure ultimately ousted a third of the country's judges, excluding the new justices of the Supreme Court appointed to replace the ones dismissed.

The third aspect of attempts to **threaten the independence of the judiciary in Latin America** are the attempt to intimidate judges by criminalising as abuse of power the performance of their duties, especially judges dealing with criminal cases of corruption involving politicians or people with economic power. The country where this situation is more serious today is **Guatemala**.

Finally, Mr. Barone thanked the **President of the Brazilian Association, Ms. Renata Gil**, for her prompt response to the request of the IAJ President to help **Afghan women** judges to obtain entry visa in the country. The initiative was also supported by Justice Toffoli, of the Brazilian Supreme Court, and helped dozens of Afghan judges and their families to get asylum in Brazil.

Priorities for the work of the Presidency Committee and I.A.J. for the triennium 2021-2023

Mr. Sjöberg recalled the work done on the issue of fostering the establishment of national associations of judges: the guidelines were published, both on paper and on the website, and activities to reach out colleagues in countries where there are not associations yet were carried out by the Secretariat.

Mr. Barone informed the Central Council about a seminar organized in Guatemala about the fight against corruption. Due to covid constraints the seminar, originally scheduled to be held in presence, was transformed, with the help of the Conrad Adenauer Foundation, in a webinar. In the forthcoming year another seminar on corruption will take place in Portugal.

Ms. Kouassi informed the Central Council on the activities that she was carrying out to organise a seminar in her country, Ivory Coast, where the Ministry of Justice is strongly engaged on judicial training.

Honorary President Pagone took then the floor and announced that the members of the Presidency Committee wished to acknowledge publicly their personal appreciation for the extraordinary work and dedication of **Secretary General Giacomo Oberto** by presenting to him a medallion on this occasion. Every member of the IAJ will have seen something of his dedication to the IAJ and its mission. Those who have had the privilege of working closely with him know how constantly and tirelessly he devotes himself to the work of the IAJ, its members, the rule of law and the independence of the judiciary, especially during the difficult times of the global pandemic. To mark the IAJ and PC thanks and appreciation in a tangible and lasting way, the Presidency Committee presented to him a medallion with his name and image created by the artist Michael "Mikko" Lindell.

The Central Council applauded. Mr. Oberto was moved and said how great an honour was for him to serve the IAJ first as delegate then as Deputy Secretary General and now as Secretary General.

Ms. Juliane Marques, Secretary-General of the Brazilian Association, took the floor to illustrate the activities carried on by her association to provide assistance to **Afghan judges**, in connection with activities of the Organization of American States for the promotion and protection of human rights. Afghan judges, males and women, were hosted in Brazil together with their families and they were provided with housing, health plans, school, psycho-care.

Ms. Adriana Orocu (Costa Rica) took the floor to illustrate to the Central Council the outcomes of a joint mission IAJ-FLAM to **Guatemala** upon request of the local association, the Asociación Guatemalteca de Jueces por la Integridad. The IAJ was represented by Vice-President and President of the IBA Group, **Mr. Walter Barone**, and by **Mr. Roland Kempfle** from Germany, while the FLAM was represented by its President, Ms. Orocu herself, and by Mr. Hermens Darío Lara from Colombia. The delegation was able to verify systematic attacks against judges, prosecutors, and lawyers who have worked on cases involving significant corruption and human rights violations committed during the internal armed conflict. Criminal law was being misused to criminalize judges and other justice operators in retaliation for the work they carried out independently. The exercise of jurisdiction was becoming increasingly difficult and there was a strong need for an international action with great resonance.

Honorary President Christophe Régnard took the floor and reported on his mission to **Tunisia**, upon invitation of the local association, the Association des Magistrats Tunisiens. He outlined the main aspects of his written report, published on the IAJ website, underlining in particular the strike by judges, who abstained from work for two days in February 2022 to protest the dissolution of the High Council for the Judiciary and the establishment of a provisional council whose all members were appointed by the President of the Republic. Since spring, the press has launched massive campaigns against judges with targeted attacks concerning even their private lives. In June, 57 judges were deprived of their functions and 7 of them began a hunger strike. Mr Régnard was able to meet professionals of justice but no representative of the Government accepted to meet him. The President of the Republic has all the executive, legislative and judicial powers in his sole person and has taken actions, such as those mentioned above related to the HCJ and the arbitrary dismissal of judges, that are in stark contrast to international standards on the independence of the judiciary and the protection of human rights. Therefore, the support of the IAJ to the Tunisian colleagues remains necessary.



The delegate of the **Judges Association of Taiwan (JAROC)**, **Mr. Jui-Ming Huang**, Justice of the Constitutional Court, took the floor to introduce the constitutional and judicial system of his country, that **will host the 2023 annual meeting of the IAJ**. Then Ms. Loulou Hung showed a video presenting the beauty of Taiwan.



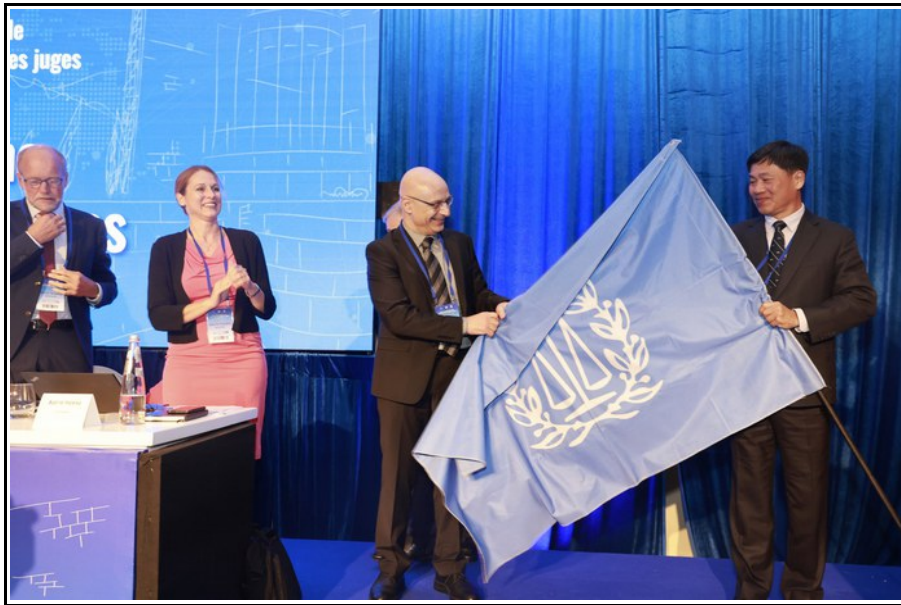
Daniel Thulare (South Africa) took the floor and announced the intention of the Judicial Officers' Association of South Africa (JOASA) to **host the 2024 annual meeting of the IAJ** in Cape Town from 21 to 27 September.

President Igreja Matos recalled the formidable **efforts of the Costa Rican Association to organize the 2020 annual meeting** and its commitment to postpone it to the following year, both attempts being put in void by the harshness of the pandemic. The Central Council greeted the Association of Costa Rica with a huge applause.

President Igreja Matos congratulated **Honorary President Gunter Woratsch** on his 50 years of participation in the life of the IAJ. The Central Council greeted Mr. Woratsch as well.

President Igreja Matos specially thanked **Mr. Yaron Levi** and **Ms. Roni Liberson** for the organisation of the meeting and through them all Israeli judges for their warm welcome to the IAJ.

The passage of the IAJ flag between **Mr. Levi** and **Mr. Huang (Taiwan)** took place.



Ukraine presentation

On the occasion of the 64th IAJ meeting in Tel Aviv, **Ms. Evtushenko, Vice President of the Ukrainian Association of Judges**, member of the IAJ, took the floor describing the **impact of the war on the administration of justice in her country**. Hereinafter the power point presentation: [Presentation](#)



AWARDS



On 21st September 2022, during the closing ceremony of the 64th annual meeting of the IAJ in Tel Aviv, a **Judicial Independence prize** was awarded to our Turkish colleague **Murat Arslan**, to our Polish colleague, **Krystian Markiewicz** and to a **Guatemalan Judge Erika Aifan**, for their fight in defence of judicial independence.



Our beloved colleague **Murat Arslan**, founder of the Turkish judge's association, is currently unlawfully detained in prison for his fight in defence of judicial independence. The prize was collected on his behalf by **HP Christophe Régnard**.

Here we publish the presentation video shown to the Assembly and a message from Murat Arslan's wife.

[Murat ARSLAN Video for the award ceremony.mp4 – Google Drive](#)

Sevilay Arslan message to IAJ President José Manuel Igreja Matos:

“Dear José,

it is our pleasure to have known you. You and Christophe have done a lot for us. I never present my thanks and appreciation enough. Your presence strengthens us. I wish you and your beloved ones and colleagues a long, healthy and happy life.

As for sharing video, please share and publish it as much as possible anywhere and anytime. Murat will be so happy when I tell him what's happened. If you have any photos or video regarding the ceremony, I would be pleased to see them. Thank you so much again for your endless priceless efforts.

Warmest regards, Sevilay.”



Our Polish colleague, **Krystian Markiewicz**, President of the Polish association of Judges, received the **IAJ judicial independence prize**:

- [his speech](#) to the Assembly;
- [the video](#).



The prize to the **Guatemalan judge Erika Aifan**, currently in exile abroad for her fight in defence of judicial independence, was collected on her behalf by the Costarican judge **Adriana Orocu**.

[Video judge Erika Aifan](#)

RESOLUTIONS ADOPTED BY THE CENTRAL COUNCIL IN TEL AVIV

On **September 21st** on the occasion of the second and last session of the **Central Council**, **three resolutions** were adopted by the Assembly:

- Resolution on **Tunisia** ([English](#) and [French](#));
- Resolution on **Guatemala** ([English](#) and [Spanish](#));
- Resolution on the killing of Judges in **Yemen** ([English](#) and [French](#)).

MEETINGS OF THE FOUR REGIONAL GROUPS OF THE IAJ

On the occasion of the 64th Annual meeting of the IAJ, the meeting of the four regional group of the IAJ took place.

ASIAN, NORTH AMERICAN AND OCEANIAN GROUP

On **18th September 2022**, the meeting of the ANAO Group took place. The assembly discussed about the working group chaired by Honorary President Tony Pagone on proposed voting rights amendment and on the proposed membership amendment regarding regional associations like CAJO.

President Duncan spoke about the ANAO Budget and the ANAO mid-year meeting which will be held in Washington, DC, in May 2023, the program contents, open discussion from several attendees on the program and suggestions.

President Duncan mentioned the efforts of the International Associations of Woman Judges to support and relocate Afghan women judges, and Canada who helped with the issues facing women Afghan judges.

President Duncan read-in the Statement on the Killing of Judges in Yemen, which will then be approved by the Central Council. She also spoke about Kurdistan seeking membership in the IAJ.

Past President Pagone spoke about the situation in Kiribati.

President Duncan gave finally the floor to the **assembly**. Each member presented the issues and information about judiciary in their country:

Australia (Jennifer Davies) – integrity commission being established; commission being established to address the process for dealing with complaints about judges; a proposed new body to recommend appointments of federal judges;

Canada (Michele Monast) – security for judges and a joint committee established to analyze that; technology and finding the right balance between virtual and in-person hearings;

Puerto Rico (Elsie Ochoa) – the issue of judicial security and the creation of an offensive “soap opera” about the personal life of a judge;

Kazakhstan – a commentary on the new code of ethics for judges;

Taiwan (Grace Yin-Lun Lin) – citizen judges’ system; the *Constitutional Procedure Judicial Act* and the Constitutional Court of Taiwan. Grace Yin-Lun Lin speaks about the IAJ annual meeting in Taipei, Taiwan in September 2023 (September 16-21).

United States of America (Cynthia Rufe) – greetings from President Clifton; the mission of preserving judicial independence and integrity; media and social media and their relationship with judicial independence and integrity; education and media training initiatives; the fairly recent tragedy (in the year 2020) of a lawyer killing family members of a federal judge, and the efforts of the FJA to enhance judicial security.

AFRICAN GROUP

On **18th September 2022**, the meeting of the African Group took place.

The President of the Group, **Ms. Marcelle Kouassi**, opened the session and greeted the delegates present at the meeting.

The delegates took the floor to explain the situation of the judiciary in each country. In particular the assembly have been informed that Mohamed DIAWARA, President of the Association of Judges of Guinea (AMG), has been unjustly suspended from his duties as Special Prosecutor and subsequently replaced in violation of Organic Law L/054/CNT/2013 of 17 May 2013, on the status of Judges in Guinea.

In this regard, the assembly adopted a **declaration**, in [English](#) and [French](#).

Honorary President **Christophe Régnard** took the floor and reported on his mission to Tunisia, at the invitation of the local association. He presented the main aspects of his written report, published on the IAJ website, highlighting in particular the strike of magistrates, who abstained from work for two days in February 2022 to protest against the dissolution of the Superior Council of the Magistracy and the setting up of a provisional council whose members were all appointed by the President of the Republic.

EUROPEAN ASSOCIATION OF JUDGES

On **18th September 2022**, the meeting of the EAJ took place.

President Sessa highlighted the importance of the cooperation with other networks of judges, in particular with MEDEL, the European Association of Administrative Judges (AEAJ) and Judges for Judges (J4J). Also, the EAJ boards has regular contacts with the Network of the Presidents of European Supreme Court, the European Network of the Councils for the Judiciary (ENCJ) and with the International Association of Court Administrators (IACA).

With all these bodies the EAJ holds regular meetings and discusses main issues and common questions. Among the results of this cooperation, it is worth mentioning, thanks to the efforts of the President of the German Supreme Court, the meeting in Brussels with members of the LIBE Committee of the European Parliament and representatives of the Commission, following which the Network was asked to institutionalize its cooperation and become a partner of the LIBE Committee.

The members of the EAJ were asked to take contacts with their respective Parliaments and Governments and raise the issue of the independence of the judiciary in Europe, as in the case of Poland.

A second relevant issue is the lawsuit filed by the EAJ together with MEDEL, AEAJ and J4J, against the EU Council over its decision to unblock Recovery and Resilience funds for Poland. The filing represents an historical step in the fight for the independence of the judiciary.

President Sessa informed the Assembly about the activities of the Fund Committee. Out of 771 requests received till now, 484 were accepted and 76 of them for a second round of help. The files concern judges who lost their office, could not find any other job and have a family to support. He encouraged the member associations to keep making donations and added that he informed also the European Parliament about the initiative.

- *State of Member Associations.*

Poland thanked the EAJ for the lawsuit, that was of great importance not only for Poland but for the EU as a whole. She added that a new body was established in Poland with a chamber for professional responsibility composed of judges of the Supreme Court selected by the High Council for the Judiciary. Suspended judges were reinstated and this was a small progress, probably due to the constraints imposed by the Recovery Fund. Notwithstanding this, the rule of law is still at stake in the country: 3 very experienced judges of court of appeal were changed in function, from criminal to labour law, by arbitrary decision of the President of the court, because of some declarations of the concerned judges but without any disciplinary proceeding.

Slovakia took the floor to inform the Assembly about the method of adopting the so-called new judicial map, without any involvement of the Judicial Council, and its consequences allowing the transfer of some judges without their consent. The Slovak Association launched an initiative addressed to the authorities authorized to initiate proceedings before the Constitutional Court of the Slovak Republic. At the same time, following the EAJ Resolution adopted on September 2, 2021 regarding legislative changes in Slovakia, Mr. Mozner asked the EAJ Assembly the adoption of a new brief resolution in which the EAJ would express serious concern over the proceeding for the adoption of the law introducing the new judicial map (which excluded the possibility of receiving any substantive comments from stakeholders, including judges and the Judicial Council of the Slovak Republic) and would state that the legal regulation that enables the transfer of a judge to another workplace upon discretionary decision of the state court administration body and with no remedy or other means of protection available, fails to meet European standards to protect the independence of the judiciary.

Ukraine reported on the situation of the administration of justice in the country after the aggression by Russia: most of the courts located in the occupied territories do not function anymore and it is difficult to maintain contacts with local judges. As to the courts located within the territories of war zone, under fire, about 50 court premises have been destroyed and significantly damaged.

Vice-President Matejka highlighted that there were several initiatives in Europe (in particular by Czechia and Portugal) aimed at granting funds for the support of judges affected by the war and asked for detail on how to put these funds at disposal.

Croatia on behalf of Association of Judges of Montenegro stressed out that in this country, still after the letter of the EAJ President, things were not improving and there was still discrimination between women and men in obligatory age for pensioning judges. For the moment no resolution was needed but the Association will be in close contact with the EAJ Board and the WG on the situation of member associations and will for possible reaction, help and advice.

IBEROAMERICAN GROUP

On 18th September 2022, the meeting of the IBA Group took place.

The President of the Group, **Mr. Walter Barone**, opened the session, greeted the delegates present and stressed the importance of holding this meeting at world level, after the long pause due to the pandemic, which has affected most of the countries of the world, and thanked the Association of Judges of Israel for organising this Assembly.

President Barone summarised the activities carried out since the last meeting in Sao Paulo to date, emphasising the declarations of support and backing issued by the Group with regard to the attacks on judicial independence in Peru and Bolivia and in response to acts of violence against magistrates in Ibero-America.

The meeting was addressed by IAJ President José Igreja Matos and IAJ Honorary President Sidnei Beneti. President Matos informed the Group about his visit to Paraguay and addressed the issue of magistrates being persecuted in their own countries for exercising their judicial function or for fighting for judicial independence.

President Barone informs that last August he visited **Guatemala**, together with a delegation composed of FLAM President Adriana Orocu, judges Hermens Darío Lara from Colombia and Roland Kempfle from Germany, in order to verify the situation of judicial independence.

The visit was made because of the constant reports of attacks against judges of the High-Risk Courts of Guatemala and against other justice operators, with special reference to the members of the Guatemalan Association of Judges for Integrity, which is a member of FLAM and IAJ.

FLAM President **Adriana Orocu** took the floor to express her concern about the situation in Guatemala, given that there is a systematic attack against judges, prosecutors and former CICIG officials who heard cases of major corruption and human rights violations that occurred during the internal armed conflict. Criminal law is being misused to criminalise justice administrators and operators in retaliation for their independent work.

Also of concern is the persistent non-compliance with international norms and standards in relation to the

reinforced guarantees of judicial independence and irremovability in office, as well as the lack of effective implementation of the precautionary measures ordered by the Inter-American Human Rights System in favour of judges and prosecutors.

The delegates from **Argentina, Bolivia, Colombia, Ecuador, Panama** and **Peru** emphasised the difficult situation of the judiciary in their respective countries due to interference from the other branches of government, especially with regard to trials of political figures (Argentina), the appointment, ratification or confirmation of judges (Colombia, Bolivia, Peru, Panama) and disciplinary trials (Ecuador).

The security of magistrates and the lack of adequate protection protocols are a problem in many countries of the group, as underlined by colleagues from Chile, Ecuador, Paraguay and Puerto Rico.

President Barone expresses his concern about the problem of the security of magistrates and the increasing "criminalisation" of judges and invites all delegations to keep their attention on these issues.

RECENT ACTIVITIES AND INITIATIVES OF THE EAJ-EUROPEAN, AFRICAN, IBA and ANAO R.Gs. OF THE IAJ



EUROPEAN GROUP

Letter from the President of the European Commission, Ms. Ursula von der Leyen

On 17th October 2022, the Platform for Turkey, addressed a letter to the attention of the European Commission and European Council.

On 22nd December 2022, the President of the European Commission, Ms. Ursula von der Leyen sent a reply. The [reply](#).

EAJ letter on Montenegro to the President of the European Commission

The European Association of Judges (EAJ) expresses its concerns about the recent Montenegrin Law on Pension and Disability Insurance and its current implementation.

The President of the EAJ, Mr. Duro Sessa, sent a letter to the attention of Ms. Ursula Von der Leyen, President of the European Commission:

[Letter](#)

Commissioner Reynders letter to the EAJ on Rule of Law

On 14th November 2022, the IAJ received a letter from EU Commissioner Reynders addressed to the President of the EAJ, Mr. Duro Sessa, concerning the Rule of Law and the significant contribution and role of the EAJ to the annual report.

[Letter](#)

Statement on Hungary

On 7th November 2022, the Board of the EAJ (European Association of Judges) issued a statement addressed to the Hungarian Association of Judges (MABIE) and the National Judicial Council, regarding the promotion of the independence of judges and rule of law in Hungary.

[Statement](#)

Letter from the Secretary General of the Council of Europe, Ms. Marija Pejčinović Burić

On 24th October 2022, the Secretary General of the Council of Europe, Ms. Marija Pejčinović Burić sent a reply to the previous letter sent by the Platform:

Here [the reply](#).

Letter of the Platform on situation in Turkey

On 17th October 2022, the Platform for Turkey, represented by the Presidents of the 4 main European Associations of Judges (Association of European Administrative Judges, AEAJ; the European Association of Judges, EAJ; Judges for Judges and Magistrates Européens pour la Démocratie et les Libertés, MEDEL), addressed a letter to the attention of the European Commission and European Council.

The letter concerns the situation of judiciary in Turkey with particular emphasis to the rule of law and to the position of unjustly dismissed judges in the country.

Hereinafter the letter:

[Letter](#)

Statement on the situation in Turkey

On Friday, July 15th 2022 a [statement](#) on the situation of the judiciary in Turkey had been released by the Platform, represented by the Presidents of the 4 main European Associations of Judges (Association of European Administrative Judges, AEAJ; the European Association of Judges, EAJ; Judges for Judges and Magistrates Européens pour la Démocratie et les Libertés, MEDEL).

The document has also been sent to the authorities herein indicated.

Hereinafter the **reply** of the European Council:

[Letter](#)

*AFRICAN GROUP***Statement on Tunisia**

On Sunday, **August 21st 2022** a **Statement** on the situation of the judiciary in **Tunisia** was adopted by the IAJ:

[Statement](#) (in English)

[Statement](#) (in French)

Meeting in Tunis

From **5 to 7 of July 2022**, an important meeting organised by the “**Association des Magistrats Tunisiens**”, member of the IAJ, took place in Tunis (Tunisia).

In attendance were the President of the African Group, **Ms. Marcelle Kouassi** and IAJ Honorary President, **Mr. Christophe Régnard**.

H.P. Régnard prepared a mission report referring about the worrying situation of judicial independence in Tunisia.

Hereinafter the programme of the event (in French):

[Programme](#)

Hereinafter his report (in French), together with his presentation held in Tunis (in French), once again expressing IAJ’s complete and staunch solidarity to our Tunisian colleagues in this difficult moment.

H.P. Christophe Régnard Mission to Tunisia Report: [2022-07-10 rapport mission UIM Tunisie](#)

H.P. Christophe Régnard Presentation in Tunis: [2022-07-06 Conférence débat TUNIS](#)

*IBEROAMERICAN GROUP***FLAM and IAJ report on Guatemala**

A **joint mission** between **IAJ** and **FLAM** took place in **Guatemala** to observe the conditions of independence of the judiciary in that country, at the request of our member association (AGJI – Asociación Guatemalteca de Jueces por la Integridad).

Representing FLAM, Adriana Orocu, from Costa Rica, and Hermens Darío Lara, from Colombia, took part in the mission, while the IAJ was represented by Mr. Roland Kempfe (Germany) and the President of the IBA group, Mr. Walter Barone.

Here the report (in [English](#) and [Spanish](#)) of the trip.

Declaration on the murder of the Ecuadorian judge

On **August 26th 2022**, the **Iberoamerican Group** expressed its **strong rejection** to the cowardly murder of the Ecuadorian Judge, **Dr. Nelson Patricio Yáñez Paredes**, which occurred in the city of Lago Agrio, Ecuador. He was a **Judge of the Multicompetent Criminal Judicial Unit** of the Province of Sucumbios.

Hereinafter the declaration (in Spanish):

[Declaration](#)

Declaration on the process of institutionalisation of “transitional” Judges

On **September 8th 2022**, the **Iberoamerican Group** (IBA), regional group of the IAJ, released a **declaration on the process of institutionalisation of “transitional” Judges**.

Hereinafter you can find the declaration:

[Declaration](#)

*ASIAN, NORTH AMERICAN AND OCEANIAN GROUP***Statement on Kiribati**

On **Friday, September 9th 2022** the **Australian Judicial Officers Association** adopted a statement on the situation in Kiribati:

[Statement](#)

INSTITUTIONAL ACTIVITIES OF THE MEMBERS OF THE PRESIDENCY COMMITTEE and SECRETARY GENERAL

23rd plenary meeting of the CCJE



From **30 November to 2 December 2022**, the CCJE held its **23rd plenary meeting** in Strasbourg and virtually.

In attendance from the IAJ: **the President of the IAJ, Mr. Matos, the President of the EAJ, Mr. Sessa and Honorary President Reissner.**

The outcomes of the meeting included the topic of the next CCJE Opinion to be prepared in 2023 which will address **the advances in technology and use of technology**. The CCJE also decided to focus its thematic study on the lessons learnt as a result of the COVID-19 pandemic and how they changed the administration of justice.

In the course of the plenary meeting, **Anke EILERS** (Germany) was re-elected as President, and **Leonie REYNOLDS** (Ireland) as Vice-President for 2023. The Working Group and the Gender Equality Rapporteur for 2023 were appointed by the CCJE.

[Plenary report.](#)

Participation of IAJ and EAJ in the 39th Plenary Meeting of the CEPEJ in Strasbourg

On **December 6 and 7, 2022**, the **39th Plenary Meeting of the CEPEJ** took place in Strasbourg (France). IAJ and EAJ (which enjoy the status of observer at the CEPEJ) were represented by **Secretary-General Mr. Giacomo Oberto**, who submitted as well a presentation in his quality as President of the **CEPEJ-SATURN Working Group for Judicial Time Management** on the following subject: «*Judicial Time Management: Information on the On-Going Work of the SATURN Centre*».

23rd International Conference of Chief Justices of the World

On 20th of November 2022, IAJ Secretary-General **Giacomo Oberto** and Honorary President **Tony Pagone** submitted a presentation in the framework of the 23rd International Conference of Chief Justices of the World, held in Lucknow (India), on the following subject:

Mr. Oberto: “*Judges Associations. Their role in the worldwide defence of Judicial Independence.*”

Mr. Pagone: “*A Review of the Progress of, and the Role of Youth in, Achieving Sustainable Development Goals – 2030.*”

The two presentations are available here:

[Oberto](#)
[Pagone](#)

Also **Ms. Adriana Orocu**, President of FLAM, Federation of Latin American Judges and President of the Costa Rican Association of Judges (IAJ Member Association) attended the event.

Here her presentation on: [Judges’ active role protecting the rule of law](#)

In the framework of the 23rd International Conference of Chief Justices of the World, held in Lucknow (India), IAJ **Honorary President Tony Pagone** was awarded the “*Lifetime Achievement Award*”.



The IBA Annual Conference

From **October 30 to November 4**, the **International Bar Association (IBA)** had its **annual conference**, in Miami. The event was open to both members and non-members of the IBA, with lawyers from over 130 jurisdictions and all parts of the legal profession attending, including lawyers in private practice, in-house counsel, human rights advocates, judges, bar leaders, regulators and government representatives.

In attendance, **the President of the IAJ, Mr. José Igreja Matos**.

For more information: <https://www.ibanet.org/conference-details/CONF2137>

International Union of Notaries - BARCELONA, Joint SEMINAR IAJ-UINL 21-22 October 2022

On the afternoon of **Friday 21 October** and the morning of **Saturday 22 October 2022**, a joint Seminar of **the International Union of Notaries (UINL) and the International Association of Judges (IAJ)**, took place in **Barcelona** within the framework of the European Notarial Academy of the UINL's European Affairs Commission (CAE), at the kind invitation of the College of Notaries of Barcelona, and its Chairman José Alberto MARIN.

Hereinafter the link to the draft agenda in three languages:

- [English](#),
- [French](#),
- [Spanish](#).

From the IAJ, in attendance: the **Secretary-General of the IAJ, Mr Giacomo Oberto**, who submitted two presentations in French, on the following subjects:

- "[Juges et Notaires en Europe : possibles dénominateurs communs](#)."
- "[Evolution du divorce non contentieux en Italie et en Europe. Déjudiciarisation du droit de la famille](#)."

And **Judge Mette SØGAARD VAMMEN**, Vice President of the Second Commission Civil Law and Procedure of the IAJ, with a speech on the following topic: *«Dejurisdictionalised divorce or Divorce by grant as practiced in Denmark»*.

Warsaw Human Dimension Conference

A 10-day **conference** was held in **Warsaw**, from **September 26th** to **October 7th** 2022.

The event was organised by the **Polish OSCE Chairmanship Office** with the support of the **OSCE Office for Democratic Institutions and Human Rights (ODIHR)** and was dedicated to discussions on the **condition of human rights and fundamental freedoms** in the OSCE area.

The President of the IAJ, Mr. Igreja José Matos participated on line.

Hereinafter the link to [his speech in English](#).

More details: <https://www.osce.org/chairmanship/warsaw-human-dimension-conference>

IAJ Secretary-General's Presentation on International Associations of Judges at the Italian Superior School for the Judiciary

On **4th October 2022**, **IAJ Secretary-General** submitted a presentation on international associations of judges at the **Italian Superior School for the Judiciary (Scuola Superiore della Magistratura)** in Scandicci-Florence.

Here the text of his presentation in English and in Italian:

- https://www.giacomooberto.com/Oberto_Judges_Associations.pdf
- https://www.giacomooberto.com/Giacomo_Oberto_Associazionismo_giudiziario_internazional

European Judicial Network: Rule of Law in Europe

On **September 7th 2022**, the **European Judicial Networks** (EAJ, ENCJ, the Network of the Presidents of the Supreme Courts and ACA) met, in Brussels, EU Commissioner for **Justice Didier Reynders**, Vice-President of the European Parliament **Katarina Barley**, and **members of the EP** to talk about **rule of law**, the status of Judicial Networks and exchange of information with European Institutions.

The **Board of the EAJ**, represented by President **Duro Sessa** and Vice Presidents **Sabine Matejka** and **Mikael Sjoberg**, attended the event.

Anniversary of the UN Basic Principles on the Independence of the Judiciary

“Amid attacks on judicial independence carried out by the governments of some European Union Member States, these words enshrined in the UN Principles have gained new momentum”

On **24th August 2022**, on the occasion of the **anniversary of the UN Basic Principles on the Independence of the Judiciary**, the President of the IAJ, **Mr. Igreja Matos** offered a compelling contribution:

<https://www.kas.de/en/web/newyork/un-agera-blog/detail/-/content/un-basic-principles-on-the-independence-of-the-judiciary>

RECENT CO-OPERATION WITH INTERNATIONAL BODIES**MEETING WITH UN SPECIAL RAPPORTEUR**

On **20th December, 2022**, a zoom meeting took place with **Professor Margaret Satterthwait** (UN Special Rapporteur on the Independence of Judges and Lawyers), **Mr. Matos** (President of the IAJ), **Mr. Oberto** (Secretary General of the IAJ), **Ms. Rebecca Riddell** (Legal and Policy Director to Professor Satterthwaite), **Dr. Mónica Castillejos-Aragón** (Program Manager of the Konrad-Adenauer-Stiftung (KAS) of the New York Office) and the two assistants to the Secretary General of the IAJ.

The meeting was the first occasion to personally speak with the UN new Rapporteur. After mutual presentations of the respective activities, the main focus was addressed on the **common goals aimed at promoting the independence of judiciary worldwide**.

A special attention was devoted to the most difficult situations in some countries in the 4 different regional area of the IAJ (EAJ, AFR, IBA and ANAO). Other important issues and fields of interest and activity of the IAJ were raised, such as corruption, discrimination, judicial training, assessment of justice, freedom of expression, rule of law.

Discussion and explanations followed on the IAJ ways of working and intervention in individual judicial cases.

A mutual engagement was finally agreed and future common efforts will be made always in the courageous actions aimed to safeguard the independence of the judiciary and to guarantee human rights and freedom.

CEPEJ**Efficiency and quality of justice in Europe: Council of Europe publishes its 2022 report**

The Council of Europe's **European Commission for the Efficiency of Justice (CEPEJ)** has set out the main trends of the judicial systems of 44 European countries and 3 observer States in a **report**, country profiles and an interactive database.

The link to the CEPEJ Evaluation Report on Judicial Systems, 2022 edition, based on 2020 data: <https://www.coe.int/en/web/portal/-/efficiency-and-quality-of-justice-in-europe-council-of-europe-publishes-its-2022-report>
[More information](#)