



Dear Colleagues,

The next – 64th – IAJ annual meeting will take place, as you all know, in Tel Aviv, Israel, on 18th – 23rd September 2022.

Many important subjects will be discussed and debated. Apart from the International Conference, to be held on 21st September, on the subject “Law, Technology and Social Good,” the four Regional Groups will meet on Sunday, 18th September, followed by the Central Council (on 19th and 21st) and the Study Commissions (on 19th and 21st). The Presidency Committee will meet twice (on 10th, by video conference, and on 19th in person in Tel Aviv), as will the Council of Honorary Presidents (on 19th).

The Central Council will be called to discuss proposals for amendments of our Constitution and Regulations, studied by an *ad hoc* working group, presided over by Honorary President Tony Pagone.

The Tel Aviv meeting will also, as usual, see the participation of a number of guests. Among these a key role will be played by the UN Special Rapporteur on the Independence of Judges and Lawyers, Prof. Diego Garcia-Sayan, who is really a great supporter of the world judiciary and a courageous champion of judicial independence. In addition, there will be representatives from the International Association of Prosecutors, UNODC, the World Jurist Association, Judges Forum of the International Bar Association and the International Union of Portuguese Speaking Judges.

The Study Commissions will discuss the following items:

- 1st Study Commission: “Disciplinary proceedings and judicial independence”;
- 2nd Study Commission: “How data protection rules are impacting on civil litigation”;
- 3rd Study Commission: “Restrictions by the criminal law of freedom of speech”;
- 4th Study Commission: “What is the impact of the judicial workplace (including appointment, independence of decision making, governance, assignments, funding and other resources) on judicial independence?”.

Information on the Tel Aviv meeting is also available on this website: <https://www.iaj2022.com/>. Agendas for the meetings of the Central Council and Regional Groups meetings will be sent you about a few weeks prior to the event. They will also be published on our website, as usual.

In the past months the Secretariat-General has been working hard on new versions of the web sites of the four IAJ Regional Groups. These are the new URLs:

- <https://eaj.iaj-uim.org/>
- <https://anao.iaj-uim.org/>
- <https://ag.iaj-uim.org/>
- <https://iba.iaj-uim.org/>

These sites will be officially presented and illustrated during the Tel Aviv meeting. Again, we request all national associations to co-operate with the Secretariat-General by sending information concerning activities and events of their own association, so that we may share these experiences, via the new web sites, among all IAJ members and Regional Groups members.

Dear colleagues, I could not end this note without evoking three items which are in my opinion of crucial importance for the life of our organisation.

The first issue deals with the regular monitoring process. This cumbersome mechanism set up recently by a reform of our Statutes is showing to be too complex and we are meeting more and more obstacles in receiving time the replies to the questionnaires which we regularly send. Maybe the Central Council could reflect on changing the monitoring requirement to a different kind of monitoring which is set in motion only in exceptional cases, and not regularly each year.

The second question deals with the necessity, in our contemporary society, to have an IAJ which is more open to the external world, than we currently are. Very often we receive requests from judicial organisations which do not comply exactly with some of the strict requirements of our Statutes to become members: let us think of the issue of regional associations, but also of associations of judges from a part of a given Country (the case of Kurdistan might be quoted as a significant example) which would not be eligible to apply (even if there was no member from that country) because it represents the judges of only part of a country. Therefore, I think that setting up a status of “permanent observer,” as it had been proposed in the past, could help us not losing contact with important parts of judicial international associational life, so as to further increase the immense patrimony of cross-border relations between judges of all the world.

Last but not least: the increased rhythm of work in our organisation, the end of the Covid-19 pandemic with the subsequent re-start of in-person meetings around the world, the increased growth of the number of international initiatives involving IAJ (and its four Regional Groups) are causing expenses of unprecedented amount. You should take into account that our annual membership fees, besides being incredibly low (compared to the importance of the organisation and to the deal of work we are developing every day), have not been reviewed or increased for more than twenty years! Furthermore, we are facing the problem of a not insignificant number of members which simply do not pay their fees, or delay them for years, which causes additional difficulties. At the last meeting of the Presidency Committee the steering body of our Organisation decided not to propose an increase of the contributions at this time. While I fully respect this decision, I allow myself to underline that it is my institutional duty to point out that not increasing membership fees could bring about serious problems in the next future. We calculated that in recent years alone just inflation has eroded 38% of the value of the annual income of the IAJ, as calculated when the fees were updated more than twenty years ago. You may very well understand the reason why I am calling once again for you all to reflection on the need to set membership fees which are adequate to the role the IAJ has been assuming in these last years and to the huge deal of work done today and to be done in the future.

Looking forward to seeing you all in Tel Aviv, I wish you an excellent summer,



Giacomo Oberto
Secretary-General of the IAJ

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**MEETING OF THE PRESIDENCY COMMITTEE IN VERONA
(JUNE 2022)**



MEETING OF THE PRESIDENCY COMMITTEE – VERONA

10th and 11th June 2022

The IAJ Presidency Committee met in Verona on 10 and 11 of June. In attendance were the

Mr. José Manuel Igreja Matos	President
Mr. Tony Pagone	Honorary President
Mr. Đuro Sessa	First Vice-President
Ms. Allyson Duncan	Vice-President (in video from USA)
Mr. Walter Barone	Vice-President (Brazil)
Ms. Marcelle Kouassi	Vice-President (Ivory Coast)
Mr. Mikael Sjoberg	Vice-President (Denmark)
Ms. Sabine Matejka	Vice-President (Austria)
Mr. Giacomo Oberto	Secretary-General
Mr. Raffaele Gargiulo	Deputy Secretary-General
Ms. Daniela de Vincentiis	Assistant to the Secretary-General
Ms. Alessandra Decina	Assistant to the Secretary-General

The Committee heard and discussed the reports of the president, Secretary-General and the 4 Vice Presidents.

The Presidency Committee also discussed the item of **regular monitoring** and of the **IAJ working groups**: WG to explore the possibility of providing assistance to judges facing challenges in the performing of their functions (Chairperson: Mr. Blake); WG to review the Constitution, in particular, but not only, with regard to the voting rights (Chairperson: Mr. Pagone); WG on judicial cooperation (Chairperson: Ms. Duncan).

As far as future IAJ annual meetings are concerned, the Presidency Committee discussed about the organisation of the next IAJ annual meeting in **Israel** and of the 2023 meeting in **Taiwan**.



As for the **priorities for the work of the Presidency Committee** and IAJ for the triennium 2019-2022, President Igreja Matos pointed out that such priorities are the following:

- Encouraging the creation of associations of judges;
- Fight against corruption in the judiciary;
- Judicial education.

The Presidency Committee also discussed on the requests of assistance from **Afghanistan** and on the situation of **Ukraine**. Finally, the Secretary-General provided the members of the PC with an overview on the update of the IAJ website and the creation of new websites for the Regional Groups.

*The next PC meeting will be held via video-link on **September 10th**.*

MEETING OF THE EUROPEAN ASSOCIATION OF JUDGES – PORTO (April 2022)

MEETING OF THE EUROPEAN ASSOCIATION OF JUDGES
PORTO (PORTUGAL)
28th to 30th April 2022



The 2022 springtime meeting of the European Association of Judges, European Regional Group of the IAJ, took place in Porto (Portugal), from 28 to 30 April 2022, under the organisation of the Portuguese Association of Judges. In attendance were

- the IAJ President, Mr. José Manuel Igreja Matos;
- the EAJ President, Mr. Đuro Sessa;
- the Vice Presidents Ms. Sabine Matejka and Mr. Mikael Sjoberg;
- the Honorary Presidents Mr. Gerhard Reissner, Mrs. Maja Tratnik and Mr. Günter Woratsch;
- the Deputy Secretaries-General, Mr. Lucio Aschettino and Mr. Galileo d'Agostino;
- the delegates of 38 associations, members of the International Association of Judges and of the European Association of Judges.

Among the numerous items on the agenda, we may mention the comprehensive report by the EAJ President, Mr. Đuro Sessa, who, among other things, remarked the importance of protecting the independence of the judiciary, since there is a risk that some states may misuse the **emergency powers** covid-correlated to consolidate executive authority at the expense of the rule of law, suppressing and undermining democratic institutions. The **distribution of emergency aid** can be fertile ground for corruption and, without an effective justice system that ensures transparency, accountability and oversight, much of it will not reach intended beneficiaries. From time to time, every nation has an emergency of one kind or another to face and very occasionally it also tests a commitment to the Rule of Law.

The President referred then to the **aggression against Ukraine**, a case in which judges, courts and court administration have to face the challenges how to ensure proper functioning of courts and how to ensure protections of citizens' rights. Member Associations are often alone and this is why the solidarity of the IAJ and the EAJ is so important.

During the EAJ meeting, special presentations were made on the situation of the judiciary in Slovakia, Greece, Poland, Italy and Ukraine. For these last 3 associations, declarations were produced by the EAJ. (See the texts hereinafter).

Poland: Ms. Dorota Zabudivska, member of the Board of Iustitia, informed about the situation in the country remains unchanged: as to the election of a new National Judicial Council, notwithstanding the sentences of the EU Court of Justice and of the European Court for Human Rights, the Government does not want to modify the system, which involves a great role for the Parliament in the appointment of the members of the Council. Recently, on the internet, several posts mentioned the activities of groups of judges connected with politics who were trying to weaken the position of their fellow judges by means of disciplinary accusations. The language and the scale of the event was shocking. On a more general ground, it is the Constitution itself that is challenged, not only as regard the role and position of judges but also with regard to the rights of citizens, that were violated during the pandemic.

Italy: Mr. Dario Scaletta, delegate of the Italian Association, illustrated to the Assembly the content of a reform affecting the judiciary that should come into force in the next weeks. The reform introduces a hierarchical system, contrary to constitutional dictate; definitively establishes the substantial separation of careers between judges and prosecutors (even if the existing rules already make it extremely complex to switch from one function to another); creates the personal performance dossier, based on the verification of the tightness of the decisions in the subsequent degrees of judgment. All the attempts of the Italian Association to help drafting a better law failed and the reform, while pretending to be aimed at ensuring greater efficiency, in reality aims to entrench the belief that all inefficiencies are caused by judges. The Italian Association was ready to demonstrate, even with a strike, its opposition to the reform.

The Assembly examined the draft notice on the reform of the Italian justice system. Upon request of the delegate from Azerbaijan, Mr. Jafarov, who wanted to better understand the hierarchical implications of the reform, Mr. Scaletta explained that the head of each court must annually set the individual judge's targets. The target is set by directive, and failure to meet the target is taken into account in the professional assessment of the judge. Since the law does not specify parameters for setting the target, the head of the court will *de facto* limit the autonomy of individual judges in each court. After a debate on the wording, the Assembly unanimously approved the text of the notice on the reform.

Ukraine: Mr. Mykola Korotun, delegate of the Ukrainian Association, informed the Assembly on the functioning of the judicial system during the ongoing war: 119 courts were closed due to the aggression of the Russian Federation. 47 courts were located in uncontrolled territory and 32 court buildings were destroyed. Judges and court staff were involved in activities such as helping refugees, buying first aid kits, donating to charitable foundations and supporting the Territorial Defense Force. On April 21st, by order of the Chairman of the Supreme Court, the territorial jurisdiction of some courts in regions affected by the war was restored. Lastly, Mr. Korotun asked the EAJ to adopt a resolution in support of the appeal of the Ukrainian Association of Judges to the UN Security Council to establish a special investigation team which will collect evidence of crimes committed by Russian troops on the territory of Ukraine against civilians of Ukraine.

President Sessa asked the Assembly whether it agreed on supporting the appeal of the Ukrainian Association and, after a debate, the Assembly decided also to extend the EAJ resolution on this issue to the other Regional Groups, asking for their endorsement.

The Assembly also unanimously approved a resolution supporting the request of the Ukrainian Association of Judges to the United Nations to establish an investigative team to gather and record evidence of war crimes and decided to forward it to the other IAJ Regional Groups.

In the framework of the Copenhagen meeting also the Chairperson of the **Working Group "Ways to Brussels"**, Ms. Parisot, took the floor to summarize the contents of the WG's report, highlighting that, in the two years of pandemic, the EU Commission substantially neglected the topic of justice.

The EAJ plenary assembly discussed also at length on activities of **Provident Fund** of the European Association of Judges; on the **Working Group on the Situation of the EAJ's Member Associations**, whose president, Mr Stephan Gass, took the floor and on the **Working Group of assistance to judges**, chaired by justice Blake.

On April 28 an **International Conference** was held on the following topic: “*Judicial Integrity: strengthening Transparency and Trust in Justice*”.

Hereinafter the **agenda of the Conference**:

JUDICIAL INTEGRITY STRENGTHENING TRANSPARENCY AND TRUST IN JUSTICE

International Conference of the European Association of Judges
April 28, 2022, Noble Hall of Court of Appeals os Porto

14.00-14.30: RECEPTION AND ACCREDITATION OF DELEGATES AND GUESTS

14.30-15.30: OPENING SOLEMN SESSION

MANUEL SOARES – President of the Association of Portuguese Judges

DURO SESSA – President of the European Association of Judges

JOSÉ IGREJA MATOS – President of the International Association of Judges

RUI MOREIRA – Mayor of Porto

HENRIQUE ARAÚJO – President of the Supreme Court of Justice

MARCELO REBELO DE SOUSA – President of the Republic

15.30-16.00: COFFEE BREAK

16.00-17.30: CONFERENCE

DIEGO GARCÍA-SAYAN United Nation Special Rapporteur on Judicial Independence

The Global Judicial Integrity Network

BETI HOHLER

Prosecuting Attorney at the International Criminal Court

Systems for protecting judicial integrity in international courts

NINA BETETTO

Former President of the Consultative Council of European Judges

Preventing judicial corruption in Europe

JAVIER CREMADES

President of the World Jurist Association

Ethics, discipline and integrity in legal professions

NUNO COELHO

Judge of the Court of Auditors of Portugal

Judicial integrity: ethics, society and jurisdiction

17.30-18.00: CULTURAL MOMENT

Hereinafter the International Conference speeches:

- [Mr. José Igreja Matos](#), President of the IAJ
- [Mr. Manuel Soares](#), President of the Portuguese Judges Association
- [Mr. Nuno Coelho](#), Judge of the Court of Auditors of Portugal
- [Ms. Beti Hohler](#), Prosecuting Attorney at the International Criminal Court
- [Mr. Henrique Araújo](#), President of the Supreme Court of Justice (in Portuguese)
- [Mr. Marcelo Rebelo de Sousa](#), President of the Republic (in Portuguese)
- [Mr. Rui Moreira](#), Mayor of Porto - You can find link the full video of the Conference at the following: [Video](#)

EAJ resolution on Ukraine:

**Association Européenne des Magistrats
Groupe Régional de l'Union
Internationale des Magistrats**



**European Association of Judges
Regional Group of the
International Association of Judges**

Resolution

At the meeting of the European Association of Judges in Porto on 29th April 2022 the Ukrainian Association informed about the situation in Ukraine and possible commission of war crimes.

The EAJ therefore resolved to support the request of the Ukrainian Association of Judges to the United Nations to establish an investigative team to gather and record evidence of war crimes.

Presentation on the Functioning of the Judicial System in Ukraine at Time of War:
<https://www.iaj-uim.org/news/eaj-meeting-ukraine-presentation/>

EAJ resolution on Italy:

**Association Européenne des Magistrats
Groupe Régional de l'Union
Internationale des Magistrats**



**European Association of Judges
Regional Group of the
International Association of Judges**

NOTICE

At its meeting of 29th April 2022 the European Association of Judges (EAJ) was informed about the ongoing parliamentary process in Italy regarding proposed changes to the legal regulations of the *Ordinamento Giudiziario*.

The EAJ cautions those promoting the measures that the envisaged changes to the law on the *Ordinamento Giudiziario* introducing, *inter alia*, a new system of assessment of judges and a personal performance file for every judge may be in conflict with European standards and may weaken the independence of the individual judge.

Any situation which would see judges being placed under undue pressure or subjected to political influence must be avoided. Equally it is important that the well-established independent position and efficiency of public prosecution should not be endangered.

The EAJ will therefore analyse the proposed amendments carefully and support their Italian colleagues in defending against any possible degradation.

EAJ resolution on Poland:

Association Européenne des Magistrats
Groupe Régional de l'Union
Internationale des Magistrats



European Association of Judges
Regional Group of the
International Association of Judges

European Association of Judges

Resolution

adopted on 29 April 2022 in Porto

Considering that the independence of the judiciary is an indispensable element of the rule of law and democracy;

Further considering that the rule of law is an agreed fundamental value common to all member states of the European Union (Art 2 TEU) which provides for no deviating national interpretation;

And considering that the primacy of European Law over national law and the binding character of decisions of the Court of Justice of the EU on national courts and institutions is fundamental to the structure of the European Union;

Stressing that the procedure under Article 267 TFEU is provided to safeguard the aforementioned objectives;

Being in no doubt that the processes for the appointment of judges should be such as to ensure that all necessary requirements for the independence of the judiciary have been observed;

Noting with concern that in their current state Polish disciplinary procedures do not guarantee that the independence of judges is not impaired;

Reaffirming that the European Association of Judges fully endorses the position of IUSTITIA and is wholly committed to supporting Polish judges in their efforts to re-establish fully the rule of law in Poland in the interest of the Polish society; and

Deploing the continuing and unacceptable delay by the authorities of the Republic of Poland to give effect to the obligations incumbent upon them in terms of the judgments of the Court of Justice of the EU of 14 July 2021 in Case C-204/21 *Commission v Poland* and of 15 July 2021 in Case C-791/19 *Commission v Poland*

The European Association of Judges calls upon the Polish authorities:

To take immediate steps to adopt or enact all measures necessary to implement those rulings of the Court of Justice of the EU

and in particular-

- to end the operation of the Disciplinary Chamber of the Supreme Court;
- to reinstate all judges who have been suspended or transferred on the basis of decisions of that disciplinary chamber;
- to repeal recently introduced provisions whereby a judge may be subject to disciplinary proceedings based on the content of a judgment issued by the judge or for questioning the legitimacy of the provisions for the appointment of judges; and
- to alter the legal framework for the composition of the National Judicial Council so as to realign it with European standards, whereby the majority of members are judges elected by their peers.

The Greek Association will host the 2023 meeting on 11-13 may in Athens.

MEETING OF THE IBERO-AMERICAN GROUP – SÃO PAULO (May-June 2022)



MEETING OF THE IBERO-AMERICAN GROUP – SÃO PAULO (BRAZIL)
29th May –1st June, 2022

The springtime meeting of the Ibero-American Regional Group of the IAJ took place in São Paulo (Brazil), from 29 of May to 1st of June, 2022, under the organisation of the Brazilian Association of Judges. In attendance were 19 member associations from Latin American countries.

The meeting took place under the presidency of Mr Walter Barone (Brazil), with the attendance of the Secretary-General of the IAJ Mr. Giacomo Oberto and of the Deputy Secretary-General Mr. Galileo D'Agostino. The meeting dealt with current problems of the judiciary in Latin America; an international conference on the protection of human rights and of judicial independence in Latin America took place. During the conference Dr. Flavia Piovesan, former Member of the Inter-American Commission for the protection of human rights, made a presentation on the **independence of judges in Latin American Countries**. A lively debate took subsequently place and each of the national representatives took the floor in order to submit a report on the situation of justice in their respective legal systems.



The next meeting of the IBA group was scheduled for **San José (Costa Rica) in Springtime 2023**.



**PROGRAMA 69ª ASAMBLEA ANUAL DE LA FLAM
Y REUNIÓN DEL GRUPO IBA - UIM
SAO PAULO, BRASIL, 2022**

Domingo - 29 de mayo

Recepción en el Aeropuerto Internacional de Sao Paulo (GRU) y traslado al Bourbon Sao Paulo Convention Ibirapuera Hotel (Dirección: Avenida Ibirapuera, 2927, Sao Paulo). Registro y Acreditación en el hotel

19.15 h - Traslado a la Sede Social de Apamagis

19.30 h - Cóctel de bienvenida

23.00 h - Regreso al hotel

Lunes - 30 de mayo

8.30 h - Traslado al Palacio de Justicia de la Corte de Justicia del Estado de Sao Paulo

10.00 h - Ceremonia de Inauguración de la 69ª Asamblea FLAM y de la Reunión Anual del Grupo IBA-UIM en el Salón de Jurado

11.30 h - Fotografía Oficial

12.00 h - Almuerzo de bienvenida en la Sede Administrativa de Apamagis

13.30 h - Traslado a la Sede Social de Apamagis

14.00 h - Conferencia Magistral a cargo de la Doctora Flávia Piovesan, Comisionada de la Comisión Interamericana de Derechos Humanos de la OEA del 1 de enero de 2018 al 31 de diciembre de 2021. Tema "Protección a la independencia Judicial y Sistema Interamericano"

15.00 h - Reunión del Grupo IBA-UIM

17.30 h - 69ª Asamblea Anual FLAM (1ª Parte)

19.00 h - Traslado al hotel y noche libre

Martes - 31 de mayo

8.00 h - Traslado a la Sede Social de Apamagis

8.30 h - 69ª Asamblea Anual FLAM (2ª Parte)

12.30 h - Almuerzo en la Sede Social de Apamagis

14.00 h - 69ª Asamblea Anual FLAM (3ª Parte)

18.30 h - Regreso al hotel

20.30 h - Salida para la Cena de Cierre

21.00 h - Cena de Cierre en el Salón de Gala de la Sede Social de Apamagis

Miércoles - 01 de junio

Traslado al Aeropuerto Internacional de Sao Paulo

RECOMENDACIÓN DE VESTIMENTA

Formal (Inauguración y Cena de Cierre) / Informal (Cóctel de bienvenida)



Hotel Bourbon Convention Ibirapuera
Av. Ibirapuera, 2927 - Moema
(junto al centro comercial)
Tel.: +55 11 2161-2200



Sede Administrativa

Rua Tabatinguera, 140 - Sobrelaja
CEP 01020-901 - Centro - São Paulo (SP)
Tel: +55 11 3292.2200
Fax: +55 11 3292.2207

Sede Social

Rua Dom Diniz, 29 - Jd. Luzitânia
CEP 04032-080 - São Paulo (SP)
Tel: +55 11 5574.5399
Fax: +55 11 5573.4804

MEETING OF THE AFRICAN REGIONAL GROUP – TUNIS (MAY 2022)



MEETING OF THE AFRICAN REGIONAL GROUP – TUNIS (TUNISIA)
May 7-10 2022 in Tunis (Tunisia)

The springtime meeting of the African Regional Group of the IAJ took place in Tunis (Tunisia) from 8 to 10 of May, 2022, under the organisation of the Association of Tunisian Judges. In attendance were 16 national associations and a **delegate from Rwanda as observer**. The meeting was chaired by Mrs. Marcelle Kouassi, with the participation of the Secretary-General of the IAJ, Mr. Giacomo Oberto, the Deputy Secretary-General of the IAJ, Mr. Raffaele Gargiulo, as well as delegates of the following associations, which are members of the International Association of Judges and the African Regional Group: Algeria, Angola, South Africa, Ivory Coast, Gabon, Guinea Conakri, Guinea Bissau, Liberia, Mali, Morocco, Niger, Democratic Republic of Congo, Senegal, Togo, Tunisia.

The meeting of the African Group took place in connection with an international conference on the topic of **“Alternatives to incarceration: Comparative experiences.”**

The Group approved the minutes of the May 2021 online meeting. All the associations spoke about the internal situation of justice and the **problems of judges in their countries**. President Kouassi submitted her report and coordinated the presentation of national reports by delegates in attendance.

President Kouassi invited the Group to encourage the associations in other African countries to apply for membership since, out of 54 countries in the African continent, only 20 national associations are member of the IAJ. It is also worth mentioning that, the Group approved the reform of the Statute with regard to the establishment of an Assistance Committee to the Chairman of the Group.

The Group appointed Mr. Thulare (South Africa) and Mr. Boufenaya (Algeria) as members of the **“WG to explore the possibility of providing assistance to judges facing challenges in the performing of their functions”**, chaired by Mr. Blake.

On 10 May 2022, the Group approved a **resolution in support of Tunisian judges** by strongly recommending the repeal of the decree that provided for the dissolution of the Superior Council of the Judiciary.



The delegate of **Mali association** declared its country's readiness to organize the next meeting of the African Group in springtime 2023.



The African Group, gathered in Tunis (Tunisia) on May 7 to 10, 2022, adopted a **declaration on Tunisia**. You can find the declaration (In English and French) hereinafter:

DECLARATION

Member associations of the African Group of the International Association of Judges (IAJ), attending the group's annual meeting in Tunis (Tunisia) that took place from 07 to 10 May 2022, with reference to the dissolution of the Supreme Judicial Council by the President of Tunisia, which is accounted for as the guarantor for the proper functioning of the judicial power and for the respect of its independence, in addition to its replacement by an interim council made up of members directly appointed by the president, set up under Decree-Law No 11 of 12 February 2022 and granting broad prerogatives to the Executive Power in the appointment process of magistrates, in taking disciplinary measures, and interdicting their freedom of expression and association.

Pertaining to the declaration of the International Association of Judges (IAJ), whose main objective is to ensure the independence of the judiciary, being a fundamental condition of the judicial function and of guaranteeing the human rights and freedoms released on 11 February 2022, considering that the dissolution of the Supreme Judicial Council of Tunisia, being an elected and independent body of the judicial power is:

- Seriously undermining the rule of Law state, which is characterized by the separation of the executive, legislative, and judiciary powers,
- Constituting an enormous obstacle to the independence of the judge, being indispensable for the exercise of impartial justice, against all kinds of social, economic and political pressures;

Member associations of the African Group of the International Association of Judges met in Tunis have expressed their legitimate solidarity with the Tunisian judges and the members of the Supreme Judicial Council in their struggle for an independent judicial power, with integrity and guarantor of rights and freedoms according to international standards;

Considering that the independence of the judicial power, the separation of powers, and the rule of law can be retrieved only if the Supreme Judicial Council elected as per the organic law No 34 of 28 April 2016 is put back, and the constitutional order is restored;

- They highly recommend the repeal of the Decree-Law No 11 of 12 February 2022 in order to preserve the independence of the judicial power as the basis of the rule of law and the indispensable guarantee of everyone's rights and freedoms.
- They urge the Executive Power to respect all commitments of Tunisia as per the treaties ratified in accordance with the principles of independence of the judicial power.
- They, also, urge the Executive Power to take all necessary measures in order to ensure the protection of physical and moral integrity of Tunisian magistrates and members of the legitimate Supreme Judicial Council both in the exercise of their functions and in their lives as citizens and to guarantee the same protection to their respective families.
- They also call the Executive Power, to abide by the recommendations of the human rights Organizations to which Tunisia has voluntarily adhered.
- They express their serious concern as to all arbitrary disciplinary measures taken against the magistrates exercising their freedom of association and expression, to defend the independence of judicial power as well as its institutions, and to cope with to all attempts of control by the executive power.

Edited in Tunis on 10 May 2022

DECLARATION

Les associations membres du groupe africain de l'Union Internationale des Magistrats, présentes à la réunion annuelle du groupe à Tunis (Tunisie) du 07 au 10 Mai 2022, faisant référence à la dissolution par le Président de la Tunisie du Conseil Supérieur de la Magistrature qui est le garant du bon fonctionnement du pouvoir judiciaire et du respect de son indépendance, et à son remplacement par un conseil provisoire dont les membres sont directement nommés par le Président, créé par décret-loi numéro 11 du 12 Février 2022 et donnant de larges prérogatives au pouvoir exécutif dans le processus de nomination des magistrats et de prises de mesures disciplinaires, et leur interdisant la liberté d'expression et d'association ;

Rappelant la déclaration, du 11 Février 2022 sur ce sujet, de l'union Internationale des Magistrats (UIM) dont le principal but est la sauvegarde de l'indépendance du Pouvoir Judiciaire, condition essentielle de la fonction juridictionnelle et de la garantie des droits et libertés de l'homme, qui a considéré que la dissolution du Conseil Supérieur de la Magistrature, organe élu et indépendant du pouvoir judiciaire :

- Porte gravement atteinte à l'Etat de droit qui se caractérise par la séparation des pouvoirs, exécutif, législatif et judiciaire,
- Constitue une énorme entrave à l'indépendance des magistrats, indispensable à l'exercice d'une justice impartiale, contre toutes sortes de pressions sociales, économiques et politiques ;

Les associations membres du groupe africain de l'Union Internationale des Magistrats réunies à Tunis expriment leur solidarité aux magistrats tunisiens et aux membres du Conseil Supérieur de la Magistrature légitime dans leur lutte pour un pouvoir judiciaire indépendant, intègre et garant des droits et libertés selon les normes internationales ;

Considèrent que l'indépendance du pouvoir judiciaire, la séparation des pouvoirs et l'Etat de droit ne peuvent être rétablis que si le Conseil Supérieur de la Magistrature élu selon la loi organique n° 36 du 28 avril 2016 est réinstallé et que l'ordre constitutionnel est réinstauré.

- Elles recommandent vivement l'abrogation du décret-loi n° 11 du 12 Février 2022 pour préserver l'indépendance de la justice, fondement de l'Etat de droit et garantie indispensable des droits et libertés de chacun.
- Elles Exhortent le pouvoir exécutif au respect des engagements de la Tunisie selon les traités ratifiés en rapport avec les principes de l'indépendance du pouvoir judiciaire
- Elles exhortent également, le Pouvoir Exécutif à prendre toutes les mesures nécessaires pour assurer la protection de l'intégrité physique et morale des Magistrats tunisiens et des membres du Conseil Supérieur de la Magistrature légitime, aussi bien dans l'exercice de leurs fonctions que dans leur vie de citoyen, et garantir la même protection à leurs familles respectives.
- Elles l'invitent, par ailleurs, à se conformer aux recommandations des Organisations de défense des droits de l'homme auxquelles la Tunisie a librement adhéré.
- Elles expriment leurs vives inquiétudes quant à toute mesure disciplinaire arbitraire à l'encontre des magistrats dans l'exercice de leur droit de réunion et d'expression, pour défendre l'indépendance de la justice et de ses institutions, et pour faire face à toute tentative de contrôle par le pouvoir exécutif.

Fait à Tunis, le 10 Mai 2022

Hereinafter a statement, in English, concerning the critical health condition of Tunisian judges on hunger strike:
(Arab version: https://www.iaj-uim.org/iuw/wp-content/uploads/2022/07/Statement-Tunisa_Arab.pdf)

Statement on Tunisia (English):



Tunis: 29 June 2022

**STATEMENT
CONDITION OF HUNGER STRIKING JUDGES
IS APPROACHING DANGER**

The Judicial Organizations Coordinating Committee has been calling on the president of the republic to rescind Decree no. 35 and abolish Order no. 516, which dismissed 57 judges, now on hunger strike, without respecting any disciplinary safeguards or the right of defense or confrontation. These demands are shared by all judges, who have for four weeks been engaged in a movement to suspend work in all courts. In response, the executive authority has only escalated, blocked dialogue, and foregone any reasonable approach to the crisis and its dangerous repercussions. This afternoon, a doctor examined the dismissed judges, who began a hunger strike on 22 June, and expressed concern about their health. They are now suffering from low blood pressure, dehydration, kidney pain, and fatigue in the case of Hamadi. The doctor clearly stated that the judge's health is not far from entering the danger zone. Based on this medical examination and to avoid the imminent catastrophe facing the striking judges, the Judicial Organizations Coordinating Committee: Renews its demand that the president rescind the dismissal decree (which does injustice to all our colleagues), rescind Decree no. 35, and open a dialogue to find a resolution to this crisis endangering the judicial institutions, the fate of striking, dismissed and all other judges. Holds the executive authority fully responsible for whatever happens to our colleagues conducting the hunger strike now that their health has reached the stage that their lives are in immediate danger.

The undersigned Members of the Judicial

Organizations Coordinating Committee:

- Anas al-Hamadi, president of the Association of Tunisian Judges
- Rifqa al-Mubarak, president of the Administrative Judges Union
- Wail al-Hanafi, president of the Union of Court of Accounts Judges
- Sayyida al-Qarishi, president of the Association of Women Judges
- Layla al-Dus, general secretary of the Tunisian Young Judges Association

WEB BASED MEETING OF THE ANAO REGIONAL GROUP (26 of May 2022)



WEB BASED MEETING OF THE ANAO GROUP
May 26th, 2022

The web-based meeting of the **ANAO Regional Group of the IAJ** took place on **May 26th, 2022**, under the co-ordination of Vice-President of the IAJ and President of the Group, **Ms. Allyson Duncan**. The meeting had members from:

Australia - GT Pagone; Glenn Martin; Carolina Kirton
Bermuda - Juan Wolfe
CAJO - Vivian Taylor Alexander
Canada - Clayton Conlan; Kriss Eidsvik; Bill Goodridge
Kazakhstan - Akkun
New Zealand - Jeff Smith
Philippines - Anne Rivera-Sia; Kirby Javier
Puerto Rico - Elsie Ochoa
Taiwan - Grace Lin Yun
United States - Richard Clifton; Allyson Duncan; Cynthia Rufe; Joanna Seybert.

The Group first of all commemorated two important colleagues who passed away: **Belen Carasig** and **Peter Hall**. As for Peter Hall, the Group read a touching letter from **Turkish judge Mehemet Tank**. After this it approved the Minutes of Meeting 2021, as well as the topic for the study session at the annual meeting. This year's topic will be Bias and Lack of Diversity within the Judiciary - the idea of having judges be representative of the population they serve. Plans for **2023 IAJ annual meeting in Taiwan** were also debated by the Group. The meeting coincides with the **70th Anniversary of the IAJ**. In recognition the group of the milestone there will be an Ebook reflecting IAJ History and noteworthy accomplishments, including remarks by the Secretary General and Past Presidents. The ANAO Group then heard President Duncan's report on the activities of the Group and of the working groups. After this one delegate for participating country took the floor to submit a report on the situation of their respective legal system.

Finally, the Group dealt with items such as the ANAO annual budget, a communication from judges of Yemen, a request from the IAJ WG on the assistance to judges experiencing personal attacks; in this framework the Group discussed about a request from the President of said WG, Mr. Blake.

The **next mid-year meeting** of the ANAO Group will take place in presence in **Washington D.C. (U.S.A.) on 22nd and 23rd May, 2023**.

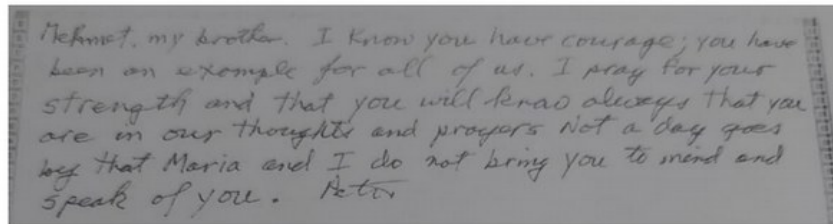
Mehemet Tank's condolences to Peter Hall's family:

My Condolence to Maria and All Friends

Dear Maria and Colleagues

I had sent a Christmas message to Peter in last December, but received no reply for a while. It was around 02:31 a.m. when I learned my dearest brother, colleague and master Peter's passing away. All of a sudden, my eyes dissolved in tears. In that moment I wished going to his grave, kneeling down and staining the flowers on his soil with my warm tears; I desired to have a heart to heart talk, and pray for him with the most sincere feelings and thoughts.

Five years ago, the warders had come into my prison cell in a morning and told me there was a letter for me. When I opened the envelope, I saw the 8-page's historical letter that was signed by 88 IAJ delegates. Among all of those sincere messages, the one Peter wrote was quite distinctive:



When I read these words, my tears had also stained my pillow.

I have dreamed, since then, the very moment in which I'll express my heartfelt thanks by warmly hugging him because of this message and for all he has done for me during this difficult time. Because, it is impossible to define the hope the letter gave me and the importance of this message. The meaning of Peter's message and the others could be later on penned in a book.

It may be seen as exaggeration for some if I call him as a Saint. But he does. Each of the Saints were those persons who were Jesus Christ's fellow companion, acolyte and guide rigorously transmitting His thoughts and messages to the people. Aren't they? How often do we come across such a person who precisely indicates/displays His thoughts with every jiff of his/her life expedition? He was indeed one of them.

He was the Vice President of IAJ 1st Study Commission.

I met with him first in a restaurant on Bosphorus. This nice dinner in 2011, was a startup of a fruitful relationship between American and Turkish judges. Following day, I saw him, in the IAJ 1st Study Commission meeting, in a position rolled up his sleeves, jotting down diligently the Q/As of the delegates. I had adored him for his dedication to his job, determination and enthusiasm in teaching while watching him. It seems there was nothing for him equal to the pleasure he had taken while he was sharing, teaching and learning.

Next year, we were in Washington D.C. together. Again watching him quietly in IAJ ISC.. His dialogs with the delegates representing their national judicial associations from all over the world, his politeness, heartedness and sedulity are the very manifest indicators of respect to the voluntary works of a noble soul dedicated to the idea of judicial independence.

At the end of that meeting, so as to find a chance to benefit more from his experience, and especially, be able to bring more efficiently forward then serious problems of Turkish judiciary, I directed to the presidency a question of how I can actively participate in the works of the Commission committee. That's it. I had neither read the Statute of the IAJ nor had any idea about the election-nomination processes for IAJ posts. My only idea was just to seek a way to actively take part in commission works. The following day, I was so surprised when my name was being announced as suggestion of the ISC's presidency committee for a post of vice-president. Although I knew the fact that I was not qualified enough to meet the demands of such an important task, I did find inappropriate to reject this behest and I accepted it. To learn from the Honorable colleague, IAJ president José Igreja Matos, the fact who was behind this decision has doubled my admiration to Peter. It is because Peter did never insinuate to me, he was who offered me to the presidency committee as V.P. In contrast to many, he prefers to live in the heart of the people but the vitrine. That is why I prefer to call him as a modern saint.

My goals mentioned above have been realized. I found a chance to visit him in his Court and benefit from his deep knowledge about the US judicial system and procedural rules as well as his philosophy of justice. His court lore, his approach towards international collegial collaborations and solidarity, and attitudes towards his colleagues had always been remarkable and should be published into a book. He deigned to meet me at the entrance of the federal building and took me around the court. After the end of the business day he had treated me to a very nice dinner. In that evening he hit out for his home in Vermont and without exaggeration he was carrying an around 20kg's case full of case files. By changing 3 or 4 vehicles he was daily travelling around 9-10 hours to get home. His eyes were full of joy and enthusiasm reflecting, on one hand, his affection to his family, hometown and his land, and on the other hand the commitment to his work and profession. His solidarity to his colleagues and his faith to the international cooperation among judges was unique. I cannot explain how he was cheerful and humble in Foz da Iguaçu/Brazil, when he was treating me to Pumpkin Cookies baked by his lovely wife, Maria especially for his pupil, Mehmet.

He was a perfect example of servants of Justice. It should be emphasized in this respect, that he was, under all conditions, very cognizant of the fact he had been performing the most sacred duty in the world. With his demeanor, attitude, gestures and the strong ties with his wife and family, his job and his friends and colleagues, simply with all behaviors and character, he perfectly represented justice. Such decency, modesty, nobility and sincerity has quite rarely mustered in a single person. He was one of them. He was indeed a good judge, unique master and an infallible witness making unforgettable notes to the history of the judiciary. For all of us. I am witnessing him with these words.

On this anniversary, in my personal name, I am transmitting dearest Maria, all of the members of your family and my esteemed colleagues who suffered from Peter's passing away, my deepest sympathy and condolence.

Lastly, I wish you to know that during the last 5,5 years spent in the prison which was only open to the sky, I have prayed for him, for Maria and for many of you by name (because- let me say - I love you) in every special moment and I will continue to do so.

With all my friendship,

Mehmet Tank

ANNEX I

International meeting:

“Stockholm+50: a healthy planet for the prosperity of all – our responsibility, our opportunity”

The United Nations General Assembly, in its resolutions 75/280 of 24th May 2021 and 75/326 of 10th September 2021, decided to convene an international meeting entitled “**Stockholm+50: a healthy planet for the prosperity of all – our responsibility, our opportunity**”, in Stockholm, on 2nd and 3rd June 2022, during the week of World Environment Day, to commemorate the 50 years since the United Nations Conference on the Human Environment and its outcome documents, as a contribution to the environmental dimension of sustainable development to accelerate the implementation of commitments in the context of the decade of action and delivery for sustainable development, including a sustainable recovery from the coronavirus disease (COVID-19) pandemic.

The international meeting included plenary meetings was held on Thursday, 2nd June and Friday, 3rd June 2022, as well as **leadership dialogues** held in parallel with the plenary meetings on both days.

The IAJ was represented by its President, Mr Igreja José Matos, who attended as one of the panellists, at the side event of the afternoon of June 2nd, entitled: “**Judges, the Environmental Rule of Law and a Healthy Planet Since the 1972 Stockholm Declaration: Achievements, challenges and opportunities**”.

More information:

<https://www.stockholm50.global/events/judges-environmental-rule-law-and-healthy-planet-1972-stockholm-declaration-achievements>



ANNEX II

38th Plenary Meeting of the CEPEJ in Malta



On **June 27th and 28th, 2022**, the 38th Plenary Meeting of the CEPEJ took place in La Valletta (Malta). IAJ and EAJ (who enjoy the status of observer at the CEPEJ) were represented by Mr. Duro Sessa, IAJ First Vice-President and President of the EAJ, as well as 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.” The Plenary Meeting was preceded by a ceremony for the 20th anniversary of CEPEJ, during which President Sessa gave a Presentation.



ANNEX III

Solidarity with Ukraine

(<https://www.iaj-uim.org/solidarity-news-and-statements-about-ukraine/>)

Friday, Apr 29th 2022

On 29th April, during the EAJ meeting, delegates from Ukraine took the floor to inform the assembly about the situation in their country.

You can download the presentation at the following link:

[Presentation](#)

Friday, Apr 8th 2022

The Association of Magistrates of Uruguay communicated its support for the statement of the Presidency Committee of the IAJ on the situation in Ukraine:

[AMU statement in Spanish](#)

Thursday, Apr 7th 2022

The Presidents of the CCJE, CCPE and CEPEJ issued a letter addressed to the members of the CEPEJ, judges and prosecutors, regarding a support for Ukrainian judges and prosecutors:

[Letter](#)

Wednesday, Apr 6th 2022

Following the recent events occurred in Bucha, Ukraine, the IAJ Presidency Committee issued a statement.

You can read the document, in English and French, at the following link:

Statement ([English](#) and [French](#))

Tuesday, Mar 22nd 2022

Today the President of the EAJ, Mr. Duro Sessa, sent a letter to the member associations of the European group (EAJ), asking for support in favour of Ukraine:

[Letter](#)

Monday, Mar 7th 2022

The Judicial Initiative for Open Judiciary (ZOJ), active in the Slovak Republic issued a statement on the situation in Ukraine:

[Statement](#)

Friday, Mar 4th 2022

The International Association of Prosecutors, IAP, issued a statement regarding Ukraine, published earlier this week:

<https://www.iap-association.org/News/IAP-statement-regarding-the-events-in-Ukraine-and>

Thursday, Mar 3rd 2022

The President of the Supreme Court of Ukraine, Vsevolod Kniaziev issued a statement on the situation in his country:

[Statement](#)

He makes an appeal to all international partners, to the presidents of the Supreme Courts and judges in the United States, Canada and European countries.

Saturday, Feb 26th 2022

Iustitia, the Polish member of the IAJ, issued a statement on the situation in Ukraine: <https://www.iustitia.pl/en/4394-statement-of-polish-judges-association-iustitia-regarding-the-aggression-of-russian-federation-against-ukraine>

Friday, Feb 25th 2022

The Presidency Committee of the IAJ issued a statement calling upon Russia to withdraw its troops from Ukraine and to resolve any dispute according to accepted principles of international law:

[Statement](#)