



N E W S L E T T E R

President's greetings



Dr. Gerhard REISSNER

I can state that 2013 was a successful year for the IAJ. We celebrated the 60th anniversary of our association. The annual conference, which was organised by the Ukrainian Association of Judges in such a perfect way, was the adequate frame for this celebration. Another important document was adopted at this occasion. Following the presentations and debate of the conference on High Councils for the Judiciary the results were summarised in a resolution, which underlines the central role, which such councils could and should play for the independence and the functioning of the justice system and the responsibilities of the members of the other powers of state and the judges themselves to guarantee this. It would be a great success if all states reconsider the legal and factual situation of the administration of justice in their country and would follow these recommendations.

2013 clearly showed the twofold challenges which the IAJ is facing. On the one hand in countries, in which the rule of law is well established, reforms - very often in respect of financial austerity measures - have to be mastered

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and setbacks have to be avoided. Member associations reported such setbacks in some of their countries in Africa, Europe and Ibero-America. On the other hand there are countries, in which the start for a system based on the rule of law began recently. New judges associations fight in these countries to create a legal framework and/or factual situations which make an independent judiciary possible. At the meeting in Yalta judges associations of Egypt, Russia and Iraq participated as observers. The investigative procedures regarding their application for membership have started. Especially in such countries the advice and support of the IAJ is needed.

By amending its statute in 2012 the IAJ repeated its commitment to help associations, which fight for the independence of the judges and the judiciary in their country. Membership was opened for these associations but at the same time a strict monitoring mechanism regarding the independence of the judiciary in all the countries was established. The IAJ intensified the cooperation with the United Nations and other international bodies. Thanks to the efforts of the secretariat the

website was relaunched and will be an additional tool to increase the visibility of and the communication within the IAJ.

The IAJ is well prepared to face also the challenges of 2014. It will not be easier but it should be at least as successful as last year. There are a lot of activities going on in the Study Commission, in the Regional Groups in the Presidency Committee, the Secretariat and last but not least in our 81 member associations. All these activities are committed to the same common goals enshrined in our Constitution

I thank everybody who contributes to this indispensable work of the IAJ, which will lead us to reach these goals and finally will realise a peaceful and just world. I extend my best wishes for a productive 2014 to all the member associations of the IAJ and to all the judges.

- Gerhard Reissner

ORGANISATION CHART**PRESIDENCY COMMITTEE****President**

Mr. Gerhard REISSNER,
President of the district court
of Floridsdorf, Vienna (Austria),
President of the European
Association of Judges -
Regional Group of the IAJ

First Vice-President

Mrs. Cristina CRESPO
Judge of the Civil Court of
Montevideo (Uruguay),
President of the Ibero
American Regional Group of
the IAJ

Vice-Presidents

Mr. Robert BLAIR (Canada),
President of the Asian, North
American and Oceanian
Regional Group of the IAJ



Mr. José Manuel IGREJA
MATOS (Portugal)



Mr. Cagney John MUSI (South
Africa), President of the Afri-
can Regional Group of the IAJ



Mr. Christophe REGNARD
(France)



Mr. Virgilius VALANCIUS,
President of the Supreme
Administrative Court of
Lithuania

Honorary President

Mrs. Fatoumata DIAKITE,
Judge of the Supreme Court of
Ivory Coast

Secretary General

Mr. Giacomo OBERTO, Judge
of the first instance Court of
Turin (Italy)

Deputy Secretaries General



Mr. Lucio ASCHETTINO,
Judge of the Criminal Court of
Naples (Italy)



Mr. Raffaele GARGIULO,
Judge of the first instance
Court of Rome (Italy)



Mr. Galileo D'AGOSTINO,
Liaison Magistrate in Spain

First Study Commission

President:

Mr. Peter HALL (USA)

Vice-Presidents:

Mr. Oded MAOR (Israel)

Mr. José Igreja MATOS (Portugal)

Mr. Thed ADELWARD (Sweden)

Mr Mehmet Tank (Turkey)

Secretary:

Ester NGO MOUTNGUI (Cameroun))

Second Study Commission

**President:**

Mrs. Zila ZFAT (Israel)

Vice-Presidents:

Mr. Reinier VAN ZUTPHEN (the Netherlands)

Mrs. Jennifer DAVIES (Australia)

Mr Max CARETTE (Belgium)

Third Study Commission

**President:**

Mr Frans BAUDUIN
(the Netherlands)

Vice-Presidents:

Mrs. Marit BERGENDAHL (Sweden)

Mrs. Virginie DUVAL (FRance)

Mr. Charles SIMPSON (USA)

Fourth Study Commission

President:

Mr Philippe Bron (Belgium)

Vice-Presidents:

Ms Julie DUTIL (Canada)

Ms Karin FRIKKE (The Netherlands)

IAJ Representatives at the UN Headquarter in New York

Mrs. Joanna SEYBERT, United States District Judge (Eastern District of New York), Ex-President of the Asian, North American and Oceanian Regional Group of the IAJ



Mrs. Louise MAILHOT, Justice of the Court of Appeal of Québec, Canada

IAJ Representatives at the UN seat in Geneva

Mr. Pierre ZAPPELLI, Justice of the Swiss Federal Tribunal



Mrs. Louise MAILHOT, Justice of the Court of Appeal of Québec, Canada

IAJ Representatives at the UN seat in Vienna

Mr. Gunter WORATSCH, Honorary President of the IAJ



Mr. Ernst MARKEL, Honorary President of the IAJ

MESSAGE FROM THE EDITOR

Dear colleagues

Please will you send me articles of interest and photos to publish in the newsletter.

If your association is planning any events of interest or conferences please send me this information. My e-mail address is DDosio@justice.gov.za.

Pourriez-vous, s'il vous plait, m'envoyer les photos des événements qui ont eu lieu dans vos pays respectifs, accompagnées d'un bref commentaire.

Le texte peut être rédigé en Français, je me chargerais de le traduire en Anglais.

Veuillez également envoyer à mon adresse e-mail les noms des sites Internet de vos différentes associations.

En vous remerciant par avance.

Cordialement.

Dario Dosio



Editor of the IAJ newsletter

Dario Dosio

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MEETING OF THE INTERNATIONAL ASSOCIATION OF JUDGES IN YALTA, UKRAINE

The annual meeting of the IAJ was held on the 9th and 10th of October 2013 in Yalta.

Session of the 9th of October:

The countries that participated were Albania, Algeria, Argentina, Armenia, Australia, Austria, Benin, Belgium, Brazil, Bulgaria, Canada, Chile, Costa Rica (Proxy to Uruguay), Croatia, Czech Republic, Dem Rep of Congo, Denmark, Dominican Republic, Egypt (observer), El Salvador (Proxy to Puerto Rico), Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Iraq (observer), Israel, Italy, Ivory Coast, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Mali, Mongolia, Morocco, Mozambique, Netherlands, Niger, Norway, Panama, Paraguay, Peru, Poland, Portugal, Puerto Rico, Republic of China (Taiwan), Russia (observer), Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo (proxy to Ivory coast), Turkey, Ukraine, United Kingdom, United States of America, and Uruguay.

The Union of Ukrainian Judges were commended for the perfect hosting of the conference. The minutes of the meeting held in Washington DC, in 2012 were unanimously adopted.

President Reissner thanked all the Regional Groups for their excellent work. Special mention was made of South Africa where even though there was the withdrawal of funding the conference was still successful. He informed all present that the IAJ Honorary Presidents agreed to put their long experience at the disposal of the Presidency Committee and had decided to set up an informal consultative council. The Central Council approved the IAJ President's report.

The Secretary-General Oberto referred to his written report and the newly formed IAJ website. He also thanked the Ukrainian Association of Judges for the excellent organisation of the conference, and thanked the Deputy Secretaries and assistants.

The vice presidents of the various regional groups, namely Mrs Crespo, Mr Blair, Mr Regnard, and Mr Musi presented their respective reports.

President Reissner stated that due to the financial and economic crisis the Foundation "Justice in the World" was not active in the past year and neither was a magazine compiled. The Justice in the World Prize for the year 2012 was granted to the American Bar Association ABA for its training activities in several countries.

Mrs Mailhot gave a short overview as IAJ representative at the UN seats. The President thanked her as well as all the other IAJ representatives at UN seats.

Mrs. Gabriela Knaul, the UN Special Rapporteur on the Independence of Judges and Lawyers illustrated her work and asked for the cooperation of the IAJ member Associations to draft a Manual on Human Rights to be utilized in training judges.

In respect to applications for membership, the Association of Judges of Montenegro was unanimously admitted by the Central Council as an IAJ member. A short synopsis of the evaluation procedure for extraordinary members was discussed by President Reissner. He informed the assembly that for 3 out of 12 former extraordinary members the evaluation procedure was already finished. These three countries are Albania, Nicaragua and Serbia. The rapporteur on the association of Nicaragua, Mrs. Cristina Crespo, the rapporteur on the Association of Serbia, Mrs. Janja Roblek and the rapporteur in respect to the Association of Albania, President Reissner presented their reports.

President Reissner thanked the other rapporteurs and informed the assembly that the Presidency Committee had examined the answers to the questionnaires and the reports of the rapporteurs and concluded that in all three cases the respective associations fulfilled the criteria set out in Art. 4 (2) and 3 of the Constitution of IAJ. No objections were received.

President Reissner informed the assembly that a working group had been created to draft the conclusion of the Conference on the High Judicial Council. This group comprised of representatives of each Regional Group and himself.

Due to only 33 delegations attending the next session of the Central Council, scheduled for the 10th of October,





(which is 8 less than the minimum quorum to approve any decision) he invited the member associations to consider the possibility of giving a proxy.

President Reissner then proceeded to discuss the proposals pertaining to amendments to the IAJ Constitution and its regulations. In respect to the proposed amendment pertaining to article 8, paragraph 4 of the IAJ constitution, a working group comprising of all four regional groups would be formed to examine this.

President Reissner then explained the proposal concerning the introduction of an admission fee for associations applying for membership to the IAJ. After he explained the two reasons for introducing this admission fee, the proposal was unanimously approved by the Central Council.

President Reissner then gave the floor to Mr. Galileo D'Agostino, Treasurer of the IAJ, to report back on the financial situation of the IAJ. Mr Galileo D'Agostino gave a short overview about the financial situation. He underlined that there had been no excessive expenses incurred in respect to the IAJ budget for the past year and illustrated a draft budget for the forthcoming year (2013-2014).

President Reissner thanked Mr. D'Agostino for the excellent work done and remarked that, thanks to the reserves and to the wise administration of IAJ finances, the financial situation of the IAJ is quite sound. Mr Baron and Mr Pagone were appointed to examine the financial accounts. The assembly unanimously approved the financial report for the year 2012-2013. The assembly unanimously approved the report as well as the draft budget for the year 2013-2014.

President Reissner summarized that there had been two main issues which lead to the creation of a working party in respect to annual contributions. The first one to make the system of contributions easier and the second one was to increase contributions to augment the income of the IAJ in view of possible future expenses. He recalled that the last increase in contributions to the IAJ was decided in Vienna in 2003 and underlined that due to the extraordinary

financial support by the Italian Association the yearly income was sufficient to cover the yearly expenses. President Reissner noted that the Regional Groups discussed the issue and agreed that at present there is no reason to decide an increase of the contribution fees. The Italian colleagues were thanked for their meaningful contribution. The working group headed by Honorary President Antonio Mura was also thanked.

The Brazilian delegates then did a short presentation in respect to the 2014 IAJ meeting.

Mr. Dutra de Andrade offered a present to Mr. Prysiazniuk, President of the Ukrainian Association, and thanked him for the perfect organisation of the meeting. Mr. Prysiazniuk took the floor to thank all delegates for their participation.

President Reissner thanked both the Ukrainian and the Brazilian associations for their commitment to the success of the IAJ and invited associations to consider hosting the meeting in 2015.

The session was closed at 17.45.

Session of the 10th of October 2013:

The countries that participated were Argentina, Armenia, Australia, Austria, Belgium, Brazil, Bulgaria (Proxy to Slovenia), Canada, Costa Rica (Proxy to Uruguay), Croatia, Czech Republic, Dem Rep of Congo, Denmark, Egypt (observer), Estonia, Finland, France, Georgia, Germany (Proxy to Liechtenstein), Greece, Hungary, Iceland, Ireland, Israel, Italy, Ivory Coast, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg (Proxy to France), Moldova, Mongolia, Morocco, Netherlands, Niger, Norway (Proxy to Denmark), Poland (Proxy to Sweden), Portugal, Republic of China (Proxy to Taiwan) (Proxy to Croatia), Senegal, Slovakia (Proxy to Hungary), Slovenia, South Africa, Spain, Sweden, Switzerland (Proxy to Netherlands), Ukraine, United Kingdom, United States of America (Proxy to Canada), and Uruguay





President Reissner opened the meeting of the Central Council at 9.15. The Secretary-General Mr. Oberto then showed the assembly the new IAJ website, illustrating the functioning, the contents, the access to it and showing how to search a document in the database. President Reissner thanked the Secretary-General for the work done and for having improved the IAJ website which is a crucial tool for the continued visibility of the IAJ.

President Reissner discussed the meeting he had with the Boards of the Study Commissions to find ways how to make the work of these commissions more fruitful. He also invited the member associations to contribute with proposals and suggestions.

President Reissner called on the Presidents of the four Study Commissions to report on the conclusions of the Commissions. The 1st Study Commission was presented by Mr. Thed Adelsward. The topic was “How to promote in a practical way the independence of judges as protectors of the International Human Rights Law”. The 2nd Study Commission was presented by Mrs. Zila Zfat. The topic was “Aspects of civil procedure: a) access to justice for self-represented litigants; b) civil process reforms”. The 3rd Study Commission was presented by Mr. Frans Bauduin. The topic was “Environmental pollution: is criminal law a good instrument?”. The 4th Study Commission was presented by Mr. Philippe Bron. The topic was “Rights of sick and disabled employees”

The following subjects to be dealt with by the Study Commissions in 2014 were presented:

1. “Media, including social media, in the courtroom and their effects on judicial independence and the proper administration of justice” (1st Study Commission);
2. “Challenges for civil environmental law” (2nd Study Commission);
3. “Environmental pollution: is criminal law a good instrument? A further evaluation” (3rd Study Commission);
4. “Health and safety at work” (4th Study Commission).

The Central Council approved unanimously the conclusions as well as the proposed topics for 2014.

President Reissner urged member associations to contribute to the works of the Study Commissions by sending their reports.

President Reissner discussed the conclusions of the International Conference on High Councils of Justice, and explained the content of the draft resolution which was distributed to all delegates.

Mrs. Virginie Valton (France) took the floor to suggest some modifications of the French version of the text of the resolution and to underline that a document stating basic principles on the composition and functioning of the High Judicial Councils but mentioning in particular the case of one country, Ukraine, could not be used by the other national associations. After a debate, the Central Council unanimously adopted two resolutions, one general in character and the other concerning the HJC in Ukraine. They are annexed to these minutes (enclosures n. 4 and n. 5).

President Reissner thanked the delegates for their comments and once again underlined the perfect organisation of the meeting in Yalta and thanked all who contributed to this successful event and to the work dedicated to the IAJ.

He then closed the meeting at 12.00.



AFRICAN REGIONAL GROUP

Cape Town (South Africa), 1st – 4th June 2013

The countries that were present were Angola, Benin, Dem. Rep of Congo, Guinea, Ivory Coast, Lesotho, Mali, Morocco, Mozambique, Niger, Senegal, South Africa, Togo and Zambia.

Session on the 1st of June

During the official opening, the President of the IAJ (Mr. Gerhard Reissner), the President of the African Group of the IAJ (Mr. Cagney Musi), the President of the Judicial Officers' Association of South Africa (Mr. Nazeem Joemath), the Secretary-General of the IAJ (Mr. Giacomo Oberto) and the representative of the Cape Town University (Sheikh Kamieldeen Hamelldin) addressed the delegates.

The African Regional Group then dealt with various topics over the next few days pertaining to "Culture and Customs – How it impacts upon gender based violence?". The following sub-themes were dealt with, namely:

1. Female genital mutilation.
2. Gender based violence which is tolerated or promoted by other cultural norms and customary law.
3. Legislative measures taken by various countries to eradicate such gender based violence.
4. Measures taken by our Courts to eliminate such gender based violence.

Session on the 3rd of June

The African Regional meeting was presided over by Mr. Cagney Musi.

He thanked all the delegates in attendance, specifically the President of the IAJ, Mr. Gerhard Reissner and the Secretary-General of the IAJ, Mr. Giacomo Oberto. He welcomed all the participants in the meeting as well as the observers from Angola, Lesotho, Zambia and Zimbabwe.

President Cagney Musi then warmly thanked the Judicial Officers Association of South African and its President (Mr. Nazeem Joemath) for the excellent organisation of the meeting in Cape Town.

The minutes of the last meeting of the African Group in Washington D.C. were approved unanimously.

President Musi reported on the activities of the African Group since the meeting in Washington D.C. (November 2012). He expressed his pleasure in respect to the successful application of the Association of the Democratic Republic of Congo. Although he had received objections from SYMCO (the other Association of judges active in Congo), he had explained to them that only one association could be a member of the IAJ member and that because SYNAMAC had applied, they had been admitted.

President Musi then explained the change of the IAJ Constitution discussed in Washington. He then mentioned the importance of filling in a questionnaire by 2015. He added that member associations who wanted to expose themselves to a monitoring process could get involved by completing and sending the answers to the questionnaire before the end of 2013.

The President mentioned that at the Presidency Committee meeting held in Istanbul it was decided to set up a working group on the issue of annual contributions and that Mr. Dario Dosio would represent the African Group. A questionnaire on this subject had been disseminated.

Due to the revamping of the IAJ website, the President invited therefore all associations to visit the website (www.iaj-uim.org).

President Musi then gave an update in respect to the situation of the judiciary in Tunisia. He explained that, with the assistance of Honorary President Diakite, the Presidency Committee had tried to contact Tunisian colleagues, to no avail. Therefore IAJ will have to redouble efforts in that direction. He received a copy of a letter sent by post relating to the situation in Tunisia. The letter related to a recommendation by the Minister of Justice and the Presidency of that country to dismiss 81 judges. President Musi therefore made an appeal to all colleagues to try to re-establish contacts with Tunisia.

The President then reported back in respect to the application by Chad.

Rapporteurs had been appointed to visit the country.

Ms. Kouassi from the Ivory Coast reported however that all her attempts to contact the Chadian colleagues were unsuccessful, accordingly she would not be visiting the country.

President Musi stated that he was dissatisfied with the lack of cooperation within members of the African Group. He underlined the importance of improving communications among member associations.

Mr. Musi then expressed his gratitude to Honorary President Antonio Mura for the exceptional work he did as Secretary-General and also thanked the current Secretary-General. He thanked Mr. Reissner for his attendance and for his continued commitment to the IAJ.

A special word of thanks was expressed to the President of JOASA, Mr. Nazeem Joemath and Ms. Judith van Schalkwyk for all their work in organising the meeting.

A short debate followed on ways as to improve communications within the Group. The Secretariat-General invited delegates to update contacting details of delegates and associations.

President Musi stressed that any association which is having problems in dealing with the powers of the State should address a formal letter requesting help to the IAJ.

The meeting then concentrated on the various country report backs.

In respect to Benin, the representative delegate explained that no major events had taken place in her country concerning justice. However, two weeks prior to this meeting one of the judges after handing down a judgment and whilst travelling to a neighbour country had been charged with trying to escape illegally. He was placed under house arrest. A general assembly of Benin judges had been summoned and a press communiqué had been issued.

In respect to the Democratic Republic of the Congo, the representative stated that the main event of the current year had been the organisation of the meeting of the High Council for the Judiciary. A law on this body already existed since 2006, but it had not been implemented, as the Council only met in extraordinary sessions, whereas the law provides for an ordinary session each year. Finally an ordinary session had been organised, thanks to the pressures exerted by the association. However the law had not been entirely complied with, because the assembly lasted only ten days instead of thirty. The association had been invited as an observer and participated in the works. The recommendations issued at that occasion should have been published immediately, but they have not been published yet. Some of the recommendations had been sent to the President of the Republic, who signed letters of appointment, dismissal or transfer of judges. The delegate from the Democratic Republic of the Congo underlined that the aim of the political power is always to destroy

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judicial independence. He added that works for the organisation of the congress of the Association were late, because the President of the Supreme Court, who is at the same time the President of the High Council, had prevented them to be active, however, they rented premises for the Association outside the justice palace, so showing their determination to go on.

In respect to Guinea, the representative explained that in his country the relations with the executive are rather good. The willingness of the Association to contribute to improve to the degree of judicial independence managed to convince the President of the Republic to set up a special commission for judicial reforms, presided over by a former judge. The current parliament recently has approved two laws. The first one deals with the status of the judges and the second one on the High Council for the Judiciary. The delegate from Guinea added he was sure that such laws will bring about an improvement of working and living conditions for judges.

In respect to the Ivory Coast, the representative informed the Assembly that in his country disciplinary action against some judges had been taken in a way which was not compliant with the procedures provided for by the law and the Association had reacted against this. Recent new elections within the Association had taken place and Honorary President Diakit  had been re-elected as President of the Association. Some difficulties had recently arisen, due to some judicial appointments and transfers done by the Ministry against the suggestions of the High Council for the Judiciary. Although living conditions for judges had improved since 2008, some salary benefits had not yet been paid.

In respect to Mali, the current president of the Association explained that the board of the Association had changed. After this a coup d' tat had taken place in the country. This event had affected the judiciary and the Association. The first effect of this coup was that the northern regions of the country had become insecure and colleagues had to leave those regions to find refuge in the capital Bamako. Following the violence in the region they had practically lost everything. The Association is against the idea of sending these judges back, as their security is not yet guaranteed. The army is not yet operational and many judges have been threatened with murder. As a result of all this, the Association had decided to set aside all economical claims.

In respect to Morocco, the representative explained that her Association had been very active in respect to the new Constitution. The President of the High Council for the Judiciary is currently no longer the Minister of Justice. The President of the Supreme Court and the Council is now also composed of judges elected by their peers. In this period all attempts are being made to ensure the independence of the public prosecutor's office vis- -vis the Minister of Justice. The Moroccan Association is currently part of the committee which is studying the judicial reforms.

In respect to Mozambique, the representative explained that her country is undergoing a period of deep reforms, mainly focused on constitutional and penal law. The Association is involved in such process. Many conferences had been organised by the Association in order to discuss such reforms and have issued recommendations to be submitted to the Parliament. The first of these recommendations aim to provide financial independence of the judiciary. Accordingly it is for the Constitution to determine a fixed certain percentage of the annual budget to be devoted to justice. The Association is also proposing that the President of the Supreme Court should be a judge of the Court, elected by the

other judges of the same Court. Currently anyone can be appointed to that post and any lawyer or university professor with at least 10 years experience is eligible to be appointed as judge of the Supreme Court. The Association is very active in organising conferences aimed at explaining to the people the activity of judges.

In respect to Niger, the representative stated that after Washington no major events took place. Relations in respect to the executive and legislature are good, even though some problems still exist in the field of security for judges. In 2013 in some eastern provinces, the population attacked the courts and destroyed premises and case files. Judges in those areas are now protected by police forces. The same problem was experienced in northern regions, due to attacks by terrorist forces. Recently extremists tried to free some convicts from the prison of Niamey, but they did not succeed. Some tensions arose with the legislature when a member of Parliament was arrested by order of an investigating judge, and the Constitutional Court said this arrest was correct. Pools of judges specialising in the field of terrorism and financial crimes had been set up.

In respect to Senegal, the representative stated the newly formed government had decided not to confirm finance measures approved by the previous government and this had caused tensions between the judiciary and the executive. Some other measures had been adopted and the judiciary is still awaiting their enforcement. According to its current structure, the High Council for the Judiciary is presided over by the President of the Republic, whereas the Minister of justice is its Vice President. The Association has started a debate in respect to this relationship, as many would like to have a stronger judicial representation within the Council.

In respect to South Africa, the president of the Judicial Officers Association of South (JOASA) explained that currently the judiciary is composed of two tiers: the higher court judiciary and the lower court judiciary. Therefore there are two different bodies of appointment as well as two different bodies concerned with the misconduct of judicial officers. The higher court system is regulated by the judicial service commission and the lower court by the magistrates' commission. JOASA's opinion is that there cannot be two bodies, as all the judges should be considered as public office bearers. Consequently, the remuneration system should be changed, as lower courts currently do the vast majority of the judicial work and higher and lower courts apply the same law and deliver the same justice. As the government did not want to address this issue, the Association was forced to act, stirring strong feelings of resentment against JOASA, so much so that certain members of the top management of JOASA were charged with accusations of misconduct by the magistrate's commission. This was also the reason why the Ministry of Justice and Constitutional Development did not provide any financial support to the IAJ meeting in Cape Town and also why the Minister for Justice and Constitutional Development did not attend this event.

In respect to Togo, the representative explained that no major problems were affecting the judiciary in his country. The Association is continuing its fight towards the improvement of living and working conditions for judges. This year a new law on the judiciary has been approved by Parliament and now the Association is waiting for the decree which will be implemented into law. The incumbent steering committee of the Association will end its mandate soon this year and new elections will take place.

President Musi then proceeded to explain the effects of the "Arab Spring". In Egypt the local Judges Club applied to be a member of the IAJ. The initial impression was that it was not a voluntary

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body, but later on the IAJ ascertained that it actually was a voluntary body. The IAJ was invited to a meeting in Egypt hosted by the Judges Club, as they were having a crisis in the judiciary, as some people were advocating the removal of a certain number of judges. The IAJ President Reissner went to Egypt.

President Reissner then explained that the meeting he attended in Egypt was a conference on the independence of the judiciary. It was a very large conference, with 500 people in attendance, among the delegates were many famous jurists. The main attacks levelled towards the judiciary were; Firstly, there was a draft law reducing the age of retirement from 70 to 60 years, (which would entail the retirement of 3,500 judges), secondly; the General prosecutor has been dismissed according to a procedure which was not compliant with the Constitution.

President Reissner received a number of calls and e-mails trying to dissuade him to travel to Egypt, as many were saying the scope of the conference was to avoid "corrupted judges" being thrown out. In Cairo President Reissner explained that the way to solve the problem was not to fire 3,500 judges, but rather to take actions against those judges who are corrupt. Egypt is still struggling with the separation of powers. New elections have been postponed and there is a tension in the judiciary. There is a strong group of judges who are represented in the Club who want to fight for the independence of the judiciary. President Reissner advised that the procedure in respect to the application of Egypt's Association to the I.A.J must continue.

President Musi then reported back in respect to the situation pertaining to the rapporteurs in respect to the application of Egypt.

In respect to Tunisia, Mr Musi stated that the content of a letter sent by twelve Tunisians to the IAJ Secretariat-General, whereby they were asking for the intervention by the IAJ could not be ascertained with certainty that it was coming from the association in Tunisia which is member of the IAJ.

President Musi added that the issue will be dealt with by the Presidency Committee.

President Musi then explained the situation of Lesotho, and pointed out that the Association had applied to become a member. Two rapporteurs had been appointed and should finalise their report before the end of June, so as to allow for the Presidency Committee to express an opinion on the report during its next meeting in Naples.

Secretary-General Oberto explained the financial situation of the African Region and the financial report was unanimously accepted by the assembly.

As regards the contributions, Mr. Oberto specified that the Secretariat-General had prepared the list of associations which are in arrears. The countries concerned should make all possible means to pay their dues as fast as possible, in order to avoid the sanctions envisaged by the statutes of the IAJ

The President invited all delegations to return the questionnaires sent out in respect to annual contributions by member associations. The Secretary-General will send these replies to the ad hoc working commission instituted within the IAJ and presided over by Honorary President Mura.

President Musi pointed out again the need for the Central Council to focus more on substantive issues than on formal ones. The Presidency Committee had launched the idea to deal with the subject of the role of High Councils of the Judiciary in the protection of judicial independence. This conference would be held in Yalta.

President Musi asked whether there were associations available to host the next meeting of the Group in the spring of 2014. Delegates from the Dem. Republic of Congo said it would be difficult to organise such an event in their country, taken into account the current situation.

Delegates from Niger took the floor to express their availability in case no other association would be able to do it. President Musi declared therefore that the next venue for the 2014 spring would be Niger, subject to confirmation in Yalta. The Assembly approved this proposal.

For the benefit of representatives of associations attending the meeting as observers, the Secretary-General Mr. Oberto took the floor to explain the main features of the IAJ and the procedure to become a member.

Finally the IAJ President Reissner and the African Group President Mr Musi took the floor to thank the delegates for their presence and contribution to the debates.

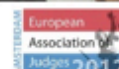


MISCELLANEOUS PHOTOS OF THE IAJ REGIONAL GROUPS

Photos of a past European Regional Group held in 2012



EAJ Spring Meeting
Amsterdam, 10 - 12 May 2012



EAJ Spring Meeting
Dinner Peace Palace - May 11th, 2012



MISCELLANEOUS PHOTOS OF THE IAJ REGIONAL GROUPS

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Photos of a past African Regional Group held in Mozambique in 2012



MISCELLANEOUS PHOTOS OF THE IAJ REGIONAL GROUPS

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Photos of a past meeting of the Ibero American Regional Group held in 2012

