



**INTERNATIONAL ASSOCIATION OF JUDGES
UNION INTERNATIONALE DES MAGISTRATS
UNIÓN INTERNACIONAL DE MAGISTRADOS
INTERNATIONALE VEREINIGUNG DER RICHTER
UNIONE INTERNAZIONALE DEI MAGISTRATI**

PALAZZO DI GIUSTIZIA - PIAZZA CAVOUR - 00193 ROMA - ITALY

COMMUNIQUÉ OF THE IAJ SECRETARIAT-GENERAL

Dear Colleagues,

On November 13th, 2020, a meeting of the IAJ Presidency Committee took place by video link.

After consultations with the IAJ Presidency Committee, the Secretary-General has decided to issue the following communiqué in order to inform all member associations about the decisions adopted on that occasion.

63rd annual meeting of the Central Council in 2021

Taking into account the current situation of uncertainty on the evolution of the Covid-19 pandemic in the world, and, in particular, its effect on the freedom of movement of people within the affected countries and across the borders, the following options can be envisaged for the 2021 annual meeting of the Central Council:

- (a) Organisation of a “traditional” meeting (Central Council, Presidency Committee, Study Commissions and Regional Groups) in person in Costa Rica, or (should this Association not be able to hold the meeting as planned) in other available countries. Of course, this option can be considered feasible only in the (unpredictable, at the moment) possibility of the full freedom of gathering in person in the hosting country, as well as the freedom to travel across all the borders, as was the case before the pandemic. The PC decided to continue this possibility, but only until the end of April/May 2021, because of the number of months that are usually necessary to organise such an event;
- (b) Organisation, as an alternative, of a much shorter on-line meeting in the autumn 2021, but only for the completion of the main issues concerning our Organisation, namely:
 - 1. Voting on the admission of the Associations of Gabon and Philippines;
 - 2. Voting on the issue of possible loss of membership for non-compliance with the duty of payment of annual fees (see below);
 - 3. Voting on other urgent issues, such as budget, urgent resolutions, etc.;
 - 4. Voting to regularise the decision which have had to be taken by the PC in light of the pandemic and which have prevented the usual meetings;
 - 5. Elections of IAJ Officials (President, Six Vice-Presidents and among them of the First Vice-President, Acclamation of the Honorary President and elections for the Secretary-General and Deputies SG);
 - 6. Other items (to be decided by the Presidency Committee).

The Presidency Committee decided to ask the Secretariat-General to prepare for the possibility of such an event, with the help of IT experts. Further contacts will be started and continued with all Member Associations to prepare them for the meeting, elections and votes, under technical viewpoint, if that come in to be adopted.

Amendments to the IAJ Statutes

As for the statutory amendments, the Presidency Committee decided that the proposal for amendments (on the prorogation of IAJ Officials in the case of “force majeure”) which we circulated some months ago among Member Associations presupposed the return of the world, after the pandemic, to normal conditions in a few months, but that is not the case. Therefore, this proposal should be complemented with some additional provisions for future meetings by video link. The new proposal should encompass the one that has already been circulated (on postponement and “force majeure”). The proposal for amendment to deal with postponement and force majeure should be put for vote as it is, but an additional proposal should provide also a new set of provisions for virtual meetings. A new draft will therefore be prepared in the next months by the SG, submitted for approval to the Presidency Committee and finally distributed to all National Associations in time for possible discussion and approval during the meeting in autumn 2021.

Possible loss of membership for non-compliance with the duty to pay annual fees

As far as the question of IAJ possible loss of membership is concerned, the Presidency Committee noted that, in the case of exclusion of a member for not compliance with the duty to pay annual fees, our rules provide that there can be a vote on the contrary during the meeting of the Central Council: a meeting, however, that in 2020 did not take place and in 2021 will be held under exceptional circumstances, so that a vote against exclusion is not likely. Furthermore, several countries usually pay their dues in cash currency during the meetings (some of them have problems with wire bank payments), and that clearly cannot be done during a meeting by video link. Having regard to this peculiar situation created by the world pandemic, the Presidency Committee decided to recommend to the Central Council the adoption of a proposal, to the following effect to be discussed and possibly approved during the Central Council meeting in autumn: “The Presidency Committee proposes that the Central Council, taking into account the exceptional situation caused from the beginning of the year 2020 by the pandemic, all 92 national associations which were members on the official list of the IAJ at the date of 31st December 2019, keep their member status until further decision of the Central Council upon proposal of the Presidency Committee, with full voting rights. The implementation of provisions of Art. 5, Para. 2 and of art. 7, Para. 5 of the IAJ Constitution is suspended until further decision by the Central Council upon proposal of the Presidency Committee.”

This would mean, in practice, a “freezing” of the membership (and voting rights) situation at the date of 31st December, 2019, waiting for further decisions to be adopted by the Central Council, once the general situation has come back to normal conditions. Therefore, until further decision, the membership list is the official one, as resulting from the following web page: <https://www.iaj-uim.org/member-associations/>. All members have full voting rights, until further decision by the Central Council.

IAJ Regional Groups

The four Regional Groups will themselves decide about their mid-year meetings. Decisions on dates and forms of the meetings will be made known by the respective Presidents in the next weeks, and circulated by the Secretariat-General.

IAJ Study Commissions

As for the Study Commissions, the Presidency Committee noted, first of all, that, among all IAJ bodies, the Study Commissions are the ones that more than others can benefit from working and meeting online. They are accustomed to exchange ideas and views through the form of questionnaires. The Secretariat-General is as always ready to provide assistance in the distribution and publication of the questionnaires and of the subsequent replies. Once the deadline for the replies has expired, the four Presidents will be able, as always, to draft a provisional final report with recommendations. The moment of the discussion and adoption by the Commissions of the final report and recommendations could be replaced by a webinar to be held in the final part of 2021. As well for this event the

Secretariat-General will organise the online meeting and provide assistance, also through the help of a pool of IT experts, that we contacted.

In any case, the Presidency Committee expressed the view that it is vital for our Organisation to show to itself and to the world that the current pandemic cannot affect the capacity to produce results which are valuable and useful for all the judges of the world.