



Association of European Administrative Judges/Vereinigung Europäischer Verwaltungsrichter /
Fédération Européenne des Juges Administratifs
Associazione dei Magistrati Amministrativi Europei /
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Apologies for absence and proxies:

- Karin WINTER was given proxies to represent the French Association of Administrative Judges, the Ukrainian member Natalia BLASHIVSKA, the Dutch member Katy VAN BOEVEN, the UK member Bernard MC CLOSKEY, the Czech member Karolina TYLOVA and our Polish member Dagmara DOMINIK.
- Werner HEERMANN has proxy to represent the Bulgarian Association of Administrative Judges, the BDVR and our Spanish member Maria Fernanda MIRMAN CASTILLO.

After the General Assembly was opened, Ms Edith ZELLER welcomed the participants.

1. Report of President Edith ZELLER

Before giving the report Edith ZELLER states that the necessary quorum of more than half of the member states is met and she expresses her deep thanks to Juozas BERNATONIS, Minister of Justice of the Republic of Lithuania, for hosting the AEAJ-GA in the Ministry of Justice, to Ramūnas GADLIAUSKAS, chair of the Lithuanian Association of Administrative Judges, for inviting the AEAJ to have the annual meeting here in Vilnius, and to Aistė MEDELIENĖ, Jurgita PAUŽAITĖ-KULVINSKIENĖ, Rasa RAGULSKYTĖ-MARKOVIENĖ and Indre ZVAIGZDINAS for having organized the meeting and the General Assembly.

Edith ZELLER gives her report to the General Assembly, briefly pointing out the board activities since the last meeting of the General Assembly in Sofia in 2015. She once again expresses her thanks to Sibila SIMONEOVA, Boïan MAGDALINTCHEV and Dragomir NIKOLOV YORDANOV for having organized the last General Assembly and the WG-meeting “Environmental law”.

The President reports on the following meetings and developments:

- On 11 and 12 June 2015 a seminar on access to justice, among others on tools to handle conflicts of different legal sources of different origin, was (again) organized together with the Romanian NIM, where Heinrich ZENS and she were trainers.
- On 24 and 25 September 2015 the WG “Asylum and Immigration” hold its annual meeting in Bologna. Edith ZELLER expresses her gratitude to our Italian colleagues, most of all to Giovanni RUIU, to the President of the TAR per l'Emilia ROMAGNA and to his team, to all the Italian speakers and to Madalina MORARU (EUI) for their contributions.
- On 8 and 9 October 2015 the WG “Taxation” met in Thessaloniki. Edith ZELLER deeply expresses her thanks to the speakers of this conference and to our Greek Association of Administrative Judges as well as to the Greek Bar Association of Veria and Thessaloniki as well as to the Presidents of both administrative courts of Thessaloniki for the warm welcome and outraging hospitality.
- On 15 Jan 2016 an “Alumni Board meeting” with Heinrich ZENS, Dimitris RAIKOS, Carlo SCHOCKWEILER, Jasna SEGAN and Werner HEERMANN (members of the former board) took place in Vienna. Edith ZELLER expresses that an alumni board could be of support for AEAJ (spoken in long term perspectives) to keep an “institutionalized contact” and “Think-Tank” for AEAJ. Meetings should be held on an informal basis. The next meeting will be held in Athens 2017.
- On 10 and 11 March a joint AEAJ-EJNT seminar took place in Naples. AEAJ could propose 20 participants and prepared the scientific part. A board meeting of AEAJ was held on 11 March afternoon in Naples.
- Turkey: In June 2015 tremendous attacks on judicial independence in Turkey became public. AEAJ took notice of it and carefully watches these developments. Inter alia in

March 2016 an AEAJ-request was submitted to CCJE to look into specific problems concerning the situation of judges in Turkey.

- Ukraine: AEAJ upholds good relations with Ukrainian colleagues and Ukrainian AEAJ members, who could be strengthened at various occasions last year and this year. On 4 March 2016 a national Ukrainian association of administrative judges was founded.
- Serbia: On the basis of bilateral contacts, good relations could be installed with Serbian colleagues. In mid-September 2016 there will be a bilateral (Serbia-Austria) meeting, where Edith ZELLER will also present AEAJ.
- Council of Europe: In July 2015 AEAJ reported to the CCJE on the situation of judiciary in Austria, Latvia, Sweden, Greece and Turkey. CCJE summarized it in its session in October 2015 and reported to the Committee of Ministers, which even “welcomed” the situation report (and the opinion number 18 of the CCJE).

In October 2015 CCJE also adopted the opinion n°18 on “the position of the judiciary and its relations with the other powers of State in a modern democracy”, in which also important points on accountability of judges is touched. CCJE will prepare an opinion in 2016 on the topic “role of courts presidents” and the following (2017) on “integrity of judges”. Edith ZELLER expressed her thanks to Pierre VINCENT, our correspondent with the Council of Europe. He participated at the relevant meetings of CCJE and CEPEJ and represented us at the solemn hearing at the ECtHR in January 2016.

- EUI: AEAJ is associated partner in the ACTIONES-project, realized by the European University Institute (EUI), Florence. In the course of this project, a handbook will finally be published, containing different modules (on the scope and application of the Fundamental Rights Charter and judicial interaction techniques - available to national judges in the field of FR in the EU and about the right of effective remedy). AEAJ participates in different specific areas of administrative law. Edith ZELLER expresses her thanks to our Austrian colleague Markus THOMA, who agreed to be AEAJ-contact person for this project.

Markus THOMA reports that the Transnational Training (TT2) workshop “Migration and Asylum” will be on 27 and 28 June 2016 in Florence; the workshop “Non-discrimination” (TT3) on 7 and 8 Nov 2016 in Florence; the workshop “Criminal law” (TT4)

on 13 and 14 Dec 2016 in Uppsala and the workshop “Effective judicial protection” (TT5) on 26 and 27 Jan 2017 in Parma.

- EJTN: On 18 March 2016 Edith ZELLER attended an EJTN-partners meeting in Brussels. One of the topics was to give EJTN inputs on training needs. Due to our network EJTN asked AEAJ for support regarding specialized EJTN-exchanges.
- NIM: AEAJ continues its co-operation with NIM.
- EASO: Holger BÖHMANN is AEAJ contact person. Different meetings took place, in which AEAJ was represented. AEAJ continues the co-operation.
- DG Justice: As far as possible, AEAJ is still interested to actively contribute to support DG Justice within its possible means.
- Upcoming events in 2016:
 - On 19 and 20 May Heinrich ZENS and Edith ZELLER will hold another workshop in Bucarest in co-operation with NIM. The topic will be: “Impacts of the ECHR and EU-law on the procedural laws”.
 - On 20 May there is a conference organized by EJTN and DG Justice on training needs concerning counter-terrorism measures in Brussels. Our Italian colleague Rosa PERNA will represent AEAJ at this conference.
 - From 1 to 3 June will be the „German Verwaltungsgerichtstag“ in Hamburg: An AEAJ-workshop on the “Implications of new IT-developments in courts on the work of judges – a European perspective” will be held on 2 June during the morning session. The Council of Europe will send a representative. In addition, a Finnish, Estonian and French presentation will be given. Ralf HÖHNE will moderate; Holger BÖHMANN was in charge of organising our workshop. Edith ZELLER expresses also her thanks to the BDVR.
 - On 22 and 23 Sept the AEAJ-Working Group “Asylum and Migration” will hold its annual meeting in London – co-organized with the UK Upper Asylum Tribunal and IARLJ. Edith ZELLER thanks in advance our UK colleague Bernard MCCLOSKEY and Hugo STOREY (IARLJ). On 22 Sept there will be a joint AEAJ/IARLJ conference. On 23 Sept will be an EASO-training. From now on Holger BÖHMANN will take care for the

organisation, co-chair Bettina MAURER-KOBER and Karin WINTER will furthermore take care for the scientific part.

- On 13 and 14 October our WG “Taxation” will have its meeting in Warsaw in co-operation with the Polish Supreme Administrative Court and DG TAXUD. The venue will be at the Polish Supreme Administrative Court. Bartosz WOJCIECHOWSKI, judge at the Supreme Administrative Court, will be the responsible contact person. DG TAXUD will cover the costs for 5 speakers and contribute also scientifically to the content of the meeting, which will be devoted to topics of tax avoidance and tax evasion.
- On 10 and 11 November our WG “Environmental law” will hold its annual meeting on Teneriffe Island. The topic will be “Water protection and the EU Water Legislation”.

Finally Edith ZELLER expresses her deep thanks to all WG-chairs, all board members, treasurer and General-Secretary, all colleagues, who were willing to host AEAJ and last but not least all participants and active members.

2. Reports of the Vice-Presidents

Report of Vice-President Annika Sandström

Annika SANDSTRÖM reports that the WG “Independence and Efficiency” did not have any meetings since the last General Assembly. She and Bernard EVEN prepared the already above mentioned joint meeting with EJTN on 10 and 11 March 2016 in Naples.

Report of Vice-President Bernard Even

Bernard EVEN refers to the report of Annika SANDSTRÖM.

Report of Vice-President Holger Böhmman

Holger BÖHMANN refers to the already mentioned meetings of the WG “Asylum and Immigration” and cooperation with EASO.

For the annual meeting 2017 the WG received an invitation from Greece.

3. Reports of the working group chairs

Report of the chair of the working group “Taxation”, co-chair Aisté MEDELIENÉ

Aisté MEDELIENÉ refers to the already mentioned meetings and mentions additionally that the WG meeting in Thessaloniki was characterized by the DG Taxud participation which was very fruitful and interesting and opened gates for further collaboration regarding the future activities of WG Taxation. Aside from the scientific part of the meeting, there were 2 excursions that took place on 10 Oct 2015 in the archaeological site of Vergina and in the city of Veria, where the local Bar prepared a reception for the WG Taxation members with traditional local kitchen and live folk music.

Reports of the chairs of the working group “Environmental Law”, Anders BENGTTSSON and Werner HEERMANN

Anders BENGTTSSON refers to the already mentioned meetings and mentions additionally that a number of WG-members attended the EUFJE (EU Forum of Judges for the Environment) conference in Bolzano on 30 and 31 Oct 2015. The topic of the conference was “Protection of the Environment through Criminal Law”.

On 15 and 16 June 2015 two working group members participated in the 8th meeting of the Task Force on Access to Justice in Geneva; Anders BENGTTSSON represented AEAJ.

Concerning the EU-program “Support for Cooperation with National Judges in the Field of Environmental Law” the Academy of European Law (ERA) is contract partner of the EC. Anders BENGTTSSON is member of the steering committee for this programme and will participate in its session on 6 June 2016. WG-members have participated and/or lectured in several of these workshops, which are free of charge and financially supported by the EC.

Werner HEERMANN reports about the “Research Network on EU Administrative Law” (ReNEUAL) which is an academic project inspired by the EU Parliament, funded by the EU and managed by the University of Freiburg (Germany). ReNEUAL pursues the draft of Model Rules on EU Administrative Procedure. The draft rules were elaborated by multinational working groups. The initial work was accomplished in March 2014. The outcome, including explanations, is completely published online – see more under “renewal.eu”.

4. Treasurer's and auditors' reports

The treasurer Ralf HÖHNE reports on the budget and the calculation for the year 2015, explaining receipts and expenses.

The treasurer gives an account of the financial situation of 30 December 2015, adding that the account showed a plus of EUR 9,310.25. Income in 2015 was EUR 16,650.00.

After examining the accounts Auditor Marja-Liisa JUDSTRÖM gives the auditors' report, indicating that there was no complaint. All the accounts are in good order; the auditors congratulate the treasurer on his work. Regarding unpaid membership fees it is noted that the statutes provide the possibility of exclusion, this applies for individual members as well. Furthermore, it is noted that the membership fees for 2015 have not yet been paid by all participants.

Edith ZELLER outlines that as already reported last year the funding situation by the European Commission under the new funding framework programme (e.g. calls about a minimum of EUR 100.000.-) affects AEAJ in that we are limited to our own membership fees. Therefore we also cooperate with EJTN, EASO and DG Taxud. Furthermore Edith ZELLER especially thanks the national court presidents and court administrations, who and which enable AEAJ-members to participate in AEAJ-meetings and even often finances their participations.

5. Approval of actions of board, treasurer and auditors for 2015

The General Assembly unanimously decides to approve the actions of the board and the treasurer as well as the auditors.

6. Admission of new members

The following individual members and associations are unanimously accepted by the General Assembly:

- Anamaria CERCEL (Romania)
- Turkish Association of Judges and Prosecutors (YARSAV)
- Ukrainian Association of Administrative Judges
- Perez Gomez JOSE (Spain)

- Jelena IVANOVIC (Serbia)

Furthermore the General Assembly unanimously decided to cease the membership of Francisco PLATA (Spain).

Finally the General Assembly empowered the board to set the membership fee for 2017 for Turkey (reason: members have few income) at EUR 300.- and for the Ukraine (reasons: recently founded/no money) at EUR 100.-.

7. Decision concerning the number of board members for the next period

Annika SANDSTRÖM leaves the board due to her retirement. Many thanks to her for all the work she has done for AEAJ.

The General Assembly unanimously decides to have 5 members on the board acc. to Art. 5 of the AEAJ-statutes.

Jasna SEGAN announces that Edith ZELLER, Holger BÖHMANN, Bernard EVEN, Gianmario PALLIGGIANO and Rasa RAGULSKYTĚ-MARKOVIENĚ are candidates.

8. Election of new board members and auditors

The General Assembly unanimously elects the following board members: Edith ZELLER, Bernard EVEN, Holger BÖHMANN, Gianmario PALLIGGIANO and Rasa RAGULSKYTĚ-MARKOVIENĚ.

The General Assembly unanimously elects Hannele KLEMETTINEN and Marja-Liisa JUDSTRÖM as auditors of AEAJ.

During a short break, the newly elected board assembles and decides to elect Edith ZELLER as President of AEAJ, Karin WINTER as General-Secretary of AEAJ and Ralf HÖHNE as treasurer of AEAJ.

The new board consists of:

1. President Edith ZELLER, Verwaltungsgericht Wien, 1190 Vienna, Muthgasse 62, Austria, born 3 January 1971
2. Vice-President Bernard EVEN, Cour administrative d'appel de Nancy, Hôtel de Fontenoy 6, Rue du Haut Bourgeois, 54035 Nancy Cedex, France, born 26 April 1958

3. Vice-President Holger BÖHMANN, Oberverwaltungsgericht Mecklenburg-Vorpommern, Domstraße 7, 17489 Greifswald, Germany, born 13 November 1966
4. Vice-President Gianmario PALLIGIANO, Tribunale Amministrativo Regionale Campania, Napoli, Piazza Municipio 64, 80133, Italy, born 7 April 1964
5. Vice-President Rasa RAGULSKYTĖ-MARKOVIENĖ, Vilnius Regional Administrative Court, Zygimantu 2, 01220 Vilnius, Lithuania, born 16 October 1976.

The board is assisted by General-Secretary Karin WINTER and treasurer Ralf HÖHNE.

9. Reports concerning the actual situation of administrative judges in certain countries

a) Austria

Markus THOMA reports that – despite strong criticism also from the Austrian Association of Administrative Judges especially concerning the rule of law – the Austrian parliament is going to adopt a new asylum law.

The law will allow the government, with the approval of the Main Committee in parliament, to declare “special measures for the maintenance of public order and the safeguarding of internal security” in the event of significant arrivals of migrants and asylum seekers at Austria’s borders. The key feature of the package of special measures is a fast-track admissibility procedure for asylum seekers at Austrian land borders. Austrian police officers will examine applications solely for the purposes of determining whether individuals can be returned to the neighbouring country from which they came. Only people who argue successfully that their lives would be in danger or that they face a real risk of torture or inhuman or degrading treatment in a neighbouring country, or who have a nuclear family member already in Austria, will be allowed to formally apply for asylum. Appeals against returns will only be possible after the return has taken place. The law increases the amount of time people can be detained pending return from five to 14 days.

b) Greece

Panagiotis DANIAS and Aikaterini KOUTSOPOULOU report that due to the agreement with Turkey the number of migrations reduced.

There is now a close cooperation with EASO concerning trainings and the establishment of a new Asylum law in Greece. Right now there is no legal basis for employment for “EU-judges”

in Greece. They should only be employed for trainings and cannot be involved in any asylum procedures. AEAJ should send Asylum-experts.

c) Sweden

Annika SANDSTRÖM explains that there were 163.000 asylum seekers last year in Sweden. Due to this increase of migration cases the national administration asked every court to be prepared and deal also with asylum/migration cases. Sweden does not want to employ too many judges.

c) France

Bernard EVEN reports that there were 75.000 asylum applications in France last year. Due to the fact that Italy is not registering the Italian border was closed now.

Concerning Calais and the Channel Tunnel France signed a bilateral treaty with UK for the next 4 years again: Due to that treaty the French Police and not the one from UK is responsible for the border. People in the camps of Calais are now spread via France.

Further the French government is seeking to extend the state of emergency that has been in place since November's Paris attacks to cover the period of the Euro 2016 football championship and the Tour de France. The special emergency measures allow police to conduct house raids and searches without a warrant or judicial oversight, including at night, and give extra powers to officials to place people under house arrest outside the normal judicial process. It also allows for restrictions on large gatherings. French judges have now to deal with "White papers".

10. AEAJ-website

Karin WINTER reports that at the board meeting on 11 March 2016 in Naples Vice-President Gianmario PALLIGGIANO declared that he did not want to be webmaster anymore. Daniela URBAN is now the new webmaster. Webdesigner is Bob SCHOCKWEILER.

Our AEAJ-website is "aeaj.org". A new AEAJ-logo was created.

11. Work program 2016/2017

2016: see above.

2017: Aikaterini KOUTSOPOULOU announces that the Greek association invites AEAJ to hold the GA and an “Asylum and Migration WG meeting” in Athens on 18 and 19 May 2017.

Edith ZELLER reports that the WG “Taxation” could meet in Ljubljana in autumn 2017-co-organised by Jasna SEGAN.

12. Miscellaneous

Nothing

Signatures

President (Edith ZELLER):

General-Secretary (Karin WINTER):