



Association of European Administrative Judges/Vereinigung Europäischer Verwaltungsrichter /  
Fédération Européenne des Juges Administratifs  
Associazione dei Magistrati Amministrativi Europei /  
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## **Minutes of the General Assembly of Association of European Administrative Judges, Tallinn, 15 June 2018**

### **Representatives of member organizations and board members:**

#### **Austria**

Erik HANEL  
Markus THOMA  
Karin WINTER (Secretary-General)  
Edith ZELLER (President)  
Heinrich ZENS

#### **Estonia**

Kadriann IKKONEN  
Sirie KALJUMÄE  
Villema LAPIMAA

#### **Finland**

Marja-Liisa JUDSTRÖM (Auditor)  
Hannele KLEMETTINEN (Auditor)

#### **France**

Berndard EVEN (Vice-President)  
Sylvain MERENNE  
Pierre VINCENT

#### **Germany**

Holger BÖHMANN (Vice-President)  
Werner HEERMANN  
Ralf HÖHNE (Treasurer)  
Matthias KELLER

Jutta SCHILD  
Christiane STOPP

**Greece**

Nikolaos DRAKOPOULOS  
Aikaterini KOUTSOPOULOU  
Eugenia PAPADOPOULOU  
Olga ZIKOU

**Italy**

Fabio MATTEI  
Marco MORGANTINI  
Rosa PERNA

**Lithuania**

Rasa RAGULSKYTĖ-MARKOVIENĖ (Vice-President)  
Skirgaile ZALIMIENE

**Luxembourg**

Anne GOSSET

**Serbia**

Jelena IVANOVIC

**Slovenia**

Jasna SEGAN

**Spain**

Evaristo GONZALEZ GONZALEZ

**Sweden**

Hanna WERTH

**Apologies for absence and proxies:**

Karin WINTER was given proxies to represent the Dutch member Katy VAN BOEVEN, the Polish member Dagmara DOMINIK-OGIŃSKA, the Association of Administrative Judges of LATVIA, the UKRAINIAN Association of Administrative Judges as well as the UK member Bernard McCLOSKEY.

Before giving the report Edith ZELLER states that the necessary quorum of more than half of the member states is met.

She expresses again her thanks to Sirje KALJUMAE, Estonian Association of Administrative Judges, for inviting AEAJ to have the annual meeting and the meeting of the working group on Independence and Efficiency here in Tallinn and to Villem LAPIMAA, Kadriann IKKONEN

for having organized the General Assembly meeting as well as the meeting of the WG Independence.

## **1. Report of President Edith ZELLER**

Edith ZELLER reports about the following events since our last GA:

### **2017**

- GA meeting on 19<sup>th</sup> May 2017: Many thanks to our Greek colleagues.
- In cooperation with NIM: We have held a seminar on access to justice in order to seek fundamental rights in Bucharest beginning of June 2017, by Heinrich Zens and President Zeller.
- Independence WG Meeting: Leipzig, June 2017 at the Bundesverwaltungsgericht: It was a great success; the topic was of utmost relevance, many thanks to Holger Böhmann, Rasa Ragulskyte-Markoviene and Bernard Even.
- Environmental WG meeting: Riga, September 2017, also a great success and many thanks to the co-chairs Anders Bengtson and Werner Heermann as well as to our Latvian colleagues, who have hosted AEAJ in a perfect way!
- Asylum WG Meeting: again in Athens, September 2017, which was of great success. In addition: 5 Tunesian judges participated. Thanks to Bettina Maurer-Kober and Holger Böhmann, also Karin Winter assisted, and thanks to the Greek colleagues again!
- Tax WG had a meeting: in Ljubljana, October 2017. Many dear thanks to the co-chairs Eugenia Papadopoulou and Barbara Wisiak. Also a big thank you to Jasna Segan and her team. The co-operation with DG TAXUD was of great success in a scientific way and AEAJ appreciated the financial support.

### **2018**

- AEAJ-EJTN joint seminar: in Thessaloniki, March 2018: A board meeting took also place.
- WG Independence: here in Tallinn, before the GA. Congratulations to all who have contributed to the success of this seminar! It was excellent and the topic is of relevance. It has shown actual developments in our judiciaries, to make a status report in order to check on strengths and weaknesses of our systems and possible dangers is relevant.

Finally Edith ZELLER expresses her deep thanks to all WG-chairs, all board members, the treasurer and the Secretary General, 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-Presidents Bernard EVEN and Rasa RAGULSKYTE-MARKOVIENE, co-chairs of the working group "Independence and Efficiency"***

On 15-16 June 2017, at the Bundesverwaltungsgericht in Leipzig, a conference of the WG was held about „Access to information held by public institutions and processing of secret informations in administrative court procedure“. Bernard Even gave a speech about «The state of emergency in France» at this conference.

On 14-15 March 2018, EJTN and AEAJ organized the third training about „The hierarchy of norms in Europe“ in the „National School of Judges of Greece in Thessaloniki. Bernard Even managed the talks of on subgroup and gave a speech about „Violations of Fundamental Rights and Conflicts between National Law and Constitutional, EU, ECHR, and International Law“.

Yesterday and today, 14-15 June 2018, 20 years after publication of the European Charter on the Status of Judges, the WG organized a conference about „The Status of Administrative Judges in Europe: the question of independence“ at the Legal Chancellor’s Office in Tallinn.

UPCOMING EVENT: „Deutscher Verwaltungsgerichtstag“, 15-17 May 2019 in Darmstadt, Germany: WG-meeting about „The discretionary power of the judge“

### ***Report of Vice-President Holger BÖHMANN, co-chair of the working group "Asylum and Immigration"***

In the past year the Members of the Working Group on Asylum and Immigration (WG) continued the exchange of information on mainly asylum matters within the network.

Since the last report on the activities of the WG at the General Assembly 2017 in Athens/Greece the annual meeting of the WG 2017 took place on 28.-30.09.2017 in Athens, too, but in the ALBA American College of Greece. Due to the perfect organization by the hosting Greek member association, e.g. by Catherine Koutsopoulou from the Administrative Court of Athens, we were warmly welcomed by the Dean of the college. CJEU Judge Lars Bay Larsen talked on the Dublin regime and the latest developments in the jurisprudence of the CJEU, followed by an open discussion on the current issues and imminent problems regarding the Dublin regulation in the national jurisprudence. The concept of Safe Countries of Origin and Safe Third Countries was presented by Harald Dörig from the German Federal Administrative Court. Catherine Koutsopoulou explained the at that time brand new Greek jurisprudence on Turkey as a safe third country. On the second day ECtHR Judge Erik Møse, ECtHR explained the Dublin system from the ECtHR’s perspective (Art. 3 ECHR), followed by the topic of Unaccompanied Children by Mr Justice Bernard McCloskey, President of the UK Upper Tribunal, Immigration and Asylum Chamber in London. The current state of the Greek asylum system was presented by Maria Stavropoulou, Director of the Greek Asylum Service. In addition to the participants from the member associations, five Tunisian judges through

the agency of EASO attended the meeting. Hence, we had the opportunity to hear about efforts on the implementation of an asylum system in Tunisia. The day ended with a dinner at the Acropolis museum with an impressive view on the Acropolis hill. On Saturday a guided tour was arranged to Delphi, Arachova and Saint Lucas Monastery.

In our cooperation with EASO and its Network of Courts and Tribunals of the Member States Catherine Koutsopoulou took over as contact person from Marie-Cecile Moulin-Zys from France. She attended the Annual Coordination and Planning Meeting on 18./19.01.2018 in Malta. The Evaluation of EASO's activities in general and within the network focused in 2017 on the progress of the Professional Development Series (PDS), where IARMLJ Europe is the main contracted partner. Also, the events organized by EASO were highlighted as well as the state of play for the newly implemented Judicial Trainers Pool, where Harald Dörig from the German Federal Administrative Court was nominated as a member of the recruitment committee. As we did not have enough members prepared to actively contribute on behalf of AEAJ, the WG Asylum in 2017 could not provide for an input to the work of EASO especially in the development of the PDS, the Trainers Pool etc. Hence, the position of AEAJ was more like an observer exchanging the information between EASO and the WG members. It has to be discussed between WG members, co-chairs and AEAJ board whether in 2019 there will be a closer cooperation with EASO such as a joined event like in 2016.

The annual WG meeting 2018 will take place on 13/14.09.2018 in Riga/Latvia. CJEU judge Lars Bay Larsen will present the recent jurisprudence of the CJEU. After a short introduction to the Internal Protection Alternative (IPA) with a special focus on Afghanistan and Somalia, national cases related to IPA will be discussed in sub-workgroups. A representative from the EU Commission will talk about the current issues and challenges of the Dublin regime with an outlook to a Dublin IV regulation. A further representative of EU Commission, DG Migration and Home Affairs will display the key challenges on the return directive in the light of the recent jurisprudence and from the EU perspective. As usual, the host country will present the current national developments and challenges in asylum and migration matters.

Coincidentally the meeting takes place the same time with the annual meeting of the European Chapter of the IARMLJ, to which a number of WG members are members too. After it was discovered, it was not possible to neither have a joined event nor to change the dates. However, nearly 25 participants have applied for Riga already.

For the annual meeting 2019 the Working Group is waiting for an invitation. It is possible that the cooperation with EASO like in the joined event 2016 in London will be repeated.

### **3. Reports of the working group chairs**

#### ***Report of the co-chair of the working group "Taxation", Eugenia PAPAPOULOU***

On 5th-6th October 2017 the annual WG Taxation meeting was held in Ljubljana – Slovenia.

Venue of the meeting: The premises of the Supreme Court of Slovenia (Supreme Court, Conference Room, Tavčarjeva 9, Ljubljana).

Participations: Around 35 colleagues have participated.

It was the third time that the DG Taxud-EU has collaborated with the Taxation WG of AEAJ, after the two previous fruitful collaborations that took place in Thessaloniki and in Warsaw.

The seminar was co-funded by the above office and the FISCALIS Programme and was co-organized by the Association of the European Administrative Judges (AEAJ) and the European Commission and was hosted by the Supreme Court of Slovenia.

Seven speeches were presented in the field of direct taxation law by colleagues, academic and DG Taxud executives. The presented topics were the following:

1. General introduction to the DAC and the International framework of administrative cooperation + some more detailed remarks on the Directive and its amendments  
Speaker: Beatriz Laranjeira, Policy Officer, Unit for Direct Tax Policy & Cooperation, Directorate General for Taxation and Customs Union, European Commission.
2. Emerging ECJ case law on administrative cooperation and on fundamental principles of EU law, as applied to tax procedural cases  
Speaker: Adam Zalasiński, Legal Officer, Direct Taxation Legal Unit, Directorate General for Taxation and Customs Union, E.U.
3. Presentation on the state of play of transposition of the DAC and its amendments into national law  
Speaker: Katrin Saaremäel-Stoilov, L.L.M, Legal Officer, Direct Taxation Legal Unit, Directorate General for Taxation and Customs Union, European Commission
4. Practical experience of administrative cooperation from the point of view of an official of the Slovenian ministry of finance  
Speaker: Urška Rozman, undersecretary at the Ministry of Finance of Slovenia
5. Tax evasion and collection of information on bank accounts under Greek tax legislation  
Speaker: Ioannis Dimitrakopoulos, Judge at the Greek Council of State
6. Administrative cooperation - the rights of taxpayers  
Speaker: Professor Tina Ehrke-Rabel, Institute of Tax law, University Graz, Austria
7. Administrative cooperation – the information holder's rights  
Speaker: Professor Joachim Englisch, Institute of Tax law, University Münster, Germany

Also there were concluded remarks by Wolfgang Mederer and AEAJ and the co-chair, Barbara Wisiak, had prepared and distributed to all the participants a relevant questionnaire and presented the results of it.

It was a very fruitful and successful meeting, characterized by the European Commission's participation and the participants should feel richer for attending it.

All the held speeches were at the highest scientific level.

We are also very grateful to the warm hospitality of our Slovenian colleagues and especially to the valuable contribution of Jasna Šegan and Adriana Hribar – Milič.

#### UPCOMING EVENT - 2018

For the year 2018, the next Taxation Working Group meeting will be held in Lisbon. It will take place from Thursday, 11th October 2018 morning until Friday, 12th October 2017 afternoon at the premises of the Center for Judicial Studies, Auditorium.

The topic of the seminar will be: "Intra community supplies and chain transactions".

The official agenda of the seminar is already set and distributed to all the participants. Mrs. Barbara Wisiak will prepare a relevant questionnaire which will be sent to all the participants to fill it in and then by the end of the seminar she will present the results.

Although it is still quite early to announce it, there is a record of participations this year and we estimate that we may exceed the number of 60 participants, including our Portuguese colleagues.

#### ***Report of the co-chair of the working group "Environmental Law", Werner HEERMANN***

##### 1. AEAJ workshop in Riga on 6 – 7 September 2017

The working group's main event during 2017 was the annual workshop, held in Riga on 6 -7 September. The event was supported by the Association of Administrative Judges of the hosting country and by the Faculty of Law of the University of Latvia.

The workshop was dedicated to „Administrative sanctions – orders and execution measures – in case of environmental infringements”.

Ms Veronika Krūmiņa, President of the Department of Administrative Cases of the Supreme Court of Latvia, gave a welcome speech. As usual we began with a report on "Recent developments of EU environmental law", this time given by Indrė Žvaigždinienė, lecturer at the Law Faculty of the Vilnius University. The second speaker was Vojtěch Vomáčka assistant judge, Supreme Administrative Court of the Czech Republic. He gave us a broad overview of the influence both of EU law and the European Convention on Human Rights on the subject matter of the workshop. Carole Billiet, research director Environmental Law U.Gent, continued and focused at first on the enforcement policy of the EU and the obligations of

the Member States deriving from EU law. Afterwards she dealt with the various sanction systems of the Member States.

The main issue of the workshop was comparative law. In preparation a detailed questionnaire (drafted by Anders Bengtsson, senior judge at the Växjö Land and Environment Court, Sweden) was sent out requesting responses from each country represented at the workshop. In addition 5 colleagues at the conference presented their national sanctioning system, namely Lilly Weidemann from the Administrative Court of Bremen (Germany), Marco Morgantini from the Administrative Court of Venice (Italy), Sinikka Kangasmaa from the Administrative Court of Vaasa (Finland), René Seerden from the Court of Limburg (Netherlands) and Caraole Billiet (for Belgium). Apart from these lectures an interactive session took place as usual. Anders Bengtsson had drafted a case study based on an environmental scandal which occurred in Sweden in the early 1970s. This case gave rise to lively discussion in multinational sub-groups which presented their findings later to the plenary. As usual the workshop also included touristic and social events.

The workshop was attended by 25 AEAJ members from 12 countries (Austria, Belgium, Bulgaria, Czech Republic, Estonia, Germany, Finland, Italy, Latvia, Lithuania, Netherlands, Sweden).

## 2. Other conferences

Three members of the working group participated as speakers at a joint EJTN/ERA conference on environmental law in Trier the 12 – 13 June 2017.

A number of working group members also attended the EUFJE (EU Forum of Judges for the Environment) conference in Oxford, United Kingdom the 21-23 September 2017 „Climate change and the judiciary“.

## 3. EU programme “Support for Cooperation with National Judges in the Field of Environmental Law”

Contract partner of the Commission is the Academy of European Law (ERA). AEAJ successfully supported ERA for the new contracting period which will run for the following three years.

Anders Bengtsson has been a member of the steering committee for this programme and participated in its session on 30th June 2017 where the discussion focused on the outcome so far and the future for the project.

During 2017 members of the working group have participated and/or lectured in several of these workshops organized by ERA - workshops that are free of charge and financially supported by the European Commission.

#### 4. Other activities

During 2017 two of our working group members were appointed to become members of the Aarhus Convention Compliance Committee (Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters) one member was appointed to be a member of the Espoo Convention Implementation Committee (Convention on Environmental Impact Assessment in a Transboundary Context).

Several members of the working group participated in an Expert Workshop on access to justice in environmental matters in Brussels the 9 November 2017, arranged by the EU Commission.

#### 5. Future activities

The annual workshop for 2018 will be held in Salzburg (Austria), 30 August – 1 September. This year's topic will be The Aarhus Convention with a focus on Access to Justice and Access to Information.

### **4. Treasurer's Report**

The treasurer Ralf HÖHNE reports on the budget and the calculation for the year 2017, explaining receipts and expenses.

The treasurer gives an account of the financial situation of 29 December 2017, adding that the account showed a plus of EUR 14,355.91. Income in 2017 was EUR 14,685.00.

Edith ZELLER outlines that the funding situation by the European Commission under the new funding framework programme affects AEAJ in that we are limited to our own membership fees.

Like in the last years the co-operations with EJTN and DG TAXUD have shown to be helpful also from a budgetary point of view.

Edith ZELLER stresses that the European Union still does not yet fully see and realize the important function, European judicial networks play.

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. Auditors' Report**

After examining the accounts the auditors Marja-Liisa JUDSTRÖM Hannele KLEMETTINEN indicate 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 2016 have not yet been paid by all participants.

## **6. Approval of actions of board, treasurer and auditors for 2016**

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

## **7. Admission of new members**

- Lucy MURRAY (United Kingdom)
- Antun ŽAGAR (Croatia) and
- Richard HUMPHREYS (Ireland)

were unanimously admitted as individual members.

- Birutė PRANEVIČIENĖ, professor of Law at Mykolas Romeris university (Lithuania),

was unanimously admitted as observer.

The memberships of the following individual members from Croatia were unanimously ceased: Božena VUKSAN, Ante GALIĆ, Ivica KUJUNDŽIĆ, Mira KOVAČIĆ, Boris MARKOVIĆ, Inga Vezmar BARLEK, Lidija VUKIĆEVIĆ, Lidija Rostaš BEROŠ and also of Willem BROUWER (Netherlands).

## **8. Decision concerning the number of board members in the next period**

Bernard EVEN and Gianmario PALLIGGIANO leave the board.

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

## **9. Election of new board members**

Edith ZELLER informs that from the old board Holger BÖHMANN, Rasa RAGULSKYTE-MARKOVIENE and she are candidates.

Furthermore Eugenia PAPADOPOULOU, Greek association, Rosa PERNA, Italian Association, and Andrej KMECL, Slovenian Association, are candidates.

Edith ZELLER proposes that Heinrich ZENS should chair the elections. The GA unanimously agrees.

The GA unanimously decides to elect the candidates for the first four positions in the board together and only afterwards to vote whether the fifth position shall go to Rosa PERNA or to Andrej KMECL.

Edith ZELLER, Holger BÖHMANN, Rasa RAGULSKYTE-MARKOVIENE and Eugenia PAPADOPOULOU are unanimously elected as board members (18 pro, 0 con, 0 abstention).

Then the GA elected Andrej KMECL for the fifth position in the board. (For Andrej KMECL 14 votes, for Rosa PERNA 4 votes, no abstention).

After a short break the board informs the GA that it has elected Edith ZELLER as the new president and appointed Karin WINTER as Secretary General and Ralf HÖHNE as treasurer.

The new board consists of:

1. Edith ZELLER, Regional Administrative Court Vienna, Muthgasse 62, 1190 Vienna, Austria, born 3 January 1971
2. Holger BÖHMANN, Federal Administrative Court, Simsonplatz 1, 04107 Leipzig, Germany, born 13 November 1966
3. Rasa RAGULSKYTĖ-MARKOVIENĖ, Regional Administrative Court Vilnius, Zygimantu 2, 01220 Vilnius, Lithuania, born 16 October 1976
4. Eugenia PAPADOPOULOU, Regional Administrative Court Thessaloniki, Fragkon 2-4 str. Thessaloniki, born 4 September 1971
5. Andrej KMECL, Administrative Court of the Republic of Slovenia, Fajfarjeva 33, 1000 Ljubljana, born 11 December 1962.

## **10. Election of auditors**

Hannele KLEMETTINEN and Marja-Liisa JUDSTRÖM are unanimously elected as auditors.

## **11. Report on activities within the Council of Europe**

Edith ZELLER expressed her thanks to Pierre VINCENT, the AEAJ correspondent with the Council of Europe.

He participated at the relevant meetings, mainly of CCJE and CEPEJ, and represented AEAJ at the solemn hearing at the ECtHR in January 2018.

Pierre VINCENT refers to the CCJE reports and outlines the discussions about the situation in Poland.

## **12. Report on other external relations/co-operations**

- **EUI**

Markus THOMA, AEAJ-contact person to EUI, reports:

AEAJ looks back at several successful and partly still ongoing cooperations with The European University Institute (CJC/EUI), University of Trento (ACTIONES, REJUS-Projects, e-NACT). All what members of AEAJ have to do is to disseminate the calls for application sent out by our president and to encourage colleagues to apply and to take part: the workshops offer an opportunity to exchange with colleagues from abroad, to improve knowledge of Union law and case law of ECJ and ECHR - and to visit nice destinations.

- **EASO**

Catherine KOUTSOPOULOU, AEAJ-contact person to EASO, reports:

In January 2018, EASO held its 6th annual meeting with the Network of Court and Tribunal Members, which was attended by representatives from 26 EU+ countries, key stakeholders such as AEAJ, IARLJ, EJTN, ERA and UNHCR and also both the CJEU and the ECtHR were represented. After a Board decision, I was honored to be nominated as the AEAJ representative of the Network.

After a review of EASO's activities in 2017, emphasis was given to the lessons learnt from the past cooperation between EASO and IARLJ for the Professional Development Series (PDS). The meeting then addressed the future orientations of the PDS, giving the opportunity for EASO to underline its continuing commitment to develop its activities in a way that is relevant and well suited to the needs of court and tribunal members across the EU+. Issues concerning the translation of such materials were discussed and the participants exchanged on a proposed updated EASO Methodology for PDS. The discussions also focused on the establishment of an EASO Judicial Trainers Pool and consideration was given to a Proposal for an EASO overview of national asylum judicial systems. Independence of the judiciary as a keystone of the Network was repeatedly underlined throughout the meeting. The second day was dedicated to an Advanced Workshop on Vulnerability, which included both a key note address and a Moot Court Session. More specifically,

a) the members of the Network were provided a summary overview of relevant developments and activities that have taken place throughout the year 2017 within the C&T's Network as well as a more detailed narrative report and it was agreed that EASO's work in 2017 complied with the requirements of the EASO Work Program taking into account the input and suggestions made by the participants to the ACPM of January 2017.

b) Then the Network shared comments and recommendations about the C&T's Network 2018 activities. Mr. Addou, the Head of the Asylum Support Unit at EASO, briefly

outlined PDS materials completed as of 31st December 2017 and provided the participants with a list of remaining subjects for materials to be developed. During the tour de table, the participants agreed that Detention should be the next topic on which to develop PDS materials in 2018, CJEU certainly agreed that the issue of detention would be an important one, since it concerns many preliminary rulings before the court. Working on that subject would certainly contribute to bringing in more consistency in the approach Courts and Tribunals of EU countries have on this issue. It was further underlined that, strictly speaking, the Return Directive is not within the boundaries of the CEAS. Most of the participants however agreed that detention, at whatever stage of the asylum process, was a crucial topic on which to work, due to the risk of fundamental rights violations. ECtHR pointed out the increase of cases (provisional measures and/ or on the merits of the cases) dealing both with detention and vulnerability.

c) EASO reminded the participants of the rationale behind PDS workshops (judicial training sessions), namely that at the end of the session, each participant should be familiarised with the relevant PDS materials and training methodology to such an extent that they will be in the position to lead a workshop in their own MS on their return. This ensures a “multiplier effect” of the training hereby making more and more members of courts and tribunals aware of their responsibility in implementing the CEAS together with providing them with operational materials.

d) Since the last ACPM 2017 it was decided to establish as a pilot exercise a pool of judicial trainers. It was agreed that a Selection Committee would select a list of judicial trainers per topic. The underlying idea being that once the pool constituted, EASO would then use it to make calls of interests for PDS sessions, on one or more topics. In order to build on EJTN’s experience and expertise on that matter, EASO recalled that a Memorandum of Understanding (MoU) had been signed recently between EASO and EJTN. EAO then briefly presented the newly established Selection Committee, due to sit for the first time the day after the ACPM and underlined that, ultimately, the positive outcome of such exercise depended on the NCP’s providing the Selection Committee with a wide range of nominations of pre-selected trainers by the NCPs.

e) Issues were raised by the participants concerning the exact role of EJTN and what changes such cooperation might imply both for the C&T Network and for the NCP’s, in so far as their involvement in selecting national judicial trainers for the PDS workshops is concerned. Mr. Addou clarified the cooperation with EJTN will not supplement the Network and that the MoU was concluded with a view of broadening the reach of the EASO PDS material. It was also recalled that for the time being EASO does not have the capacity to organise national training sessions outside of the context of the operating plans concluded between the Agency and some Member States and that EJTN could help raise awareness of national judicial training bodies of the availability of the EASO material on asylum.

f) Issues were raised as regards the translation of PDS materials. On that point EASO underlined the budgetary constraints on that issue whilst acknowledging its paramount importance in ensuring the work of the C&T's Network reaches the largest possible end users. Mr. Addou emphasised that it was initially decided that materials should, at the very least, be translated in the working languages of the EU (English, French, Italian, Spanish and German). He then explained that EASO was tied by strict rules when it comes to translation and that it had a statutory obligation to use the services of the Translation Centre For the Bodies of the European Union based in Luxembourg. Following EL's remarks on the question of the choice of the translation languages, Mr. Addou for EASO confirmed that the additional translations are implemented for Member States benefitting from EASO's operational support.

g) Mr. Hoppe for DE then presented his proposal for the development of a new product dedicated to the overview of national asylum judicial systems and its relevance for a better understanding of the CEAS from a national perspective. To conclude on the matter, Mr. Addou for EASO, took a pragmatic approach and suggested that EASO compiled the relevant information already contained in the Quality Matrix: Appeals procedures and rearrange it with a country approach. EASO would then circulate it to the NCPs for review / update so that it complies with the needs expressed to day. He finally suggested that such document would be made available in an online restricted area dedicated to the C & T's Network currently under development.

h) In the final part of the ACPM, EASO provided participants with an overview of the proposed activities for 2018. These include: 3 meetings of a Working Group for the development a Judicial Analysis on Detention, 2 pilot Professional Development Workshops: one on Asylum procedures and one on Country of Origin Information, 6 Professional Development Workshops (by chronological order) on Evidence and Credibility Assessment, Exclusion, Article 15(c) QD, Introduction to the CEAS, Ending International Protection and Qualification for International Protection, 2 Professional Development Workshops (external dimension) on Country of Origin Information, An EASO high level Conference, An Annual Coordination and Planning Meeting in Malta on 21-22 January 2019.

The second day was dedicated to an Advanced Workshop on vulnerability, which included a keynote address by Dr. Joanna Petin, a leading researcher in the field of vulnerability. This was followed by a debate where participants exchanges on ongoing developments in jurisprudence as well as to the challenges met by judges when applying those provisions. This introductory session was followed by a moot court session on Vulnerability led by Bernard Dawson (UK) and chaired by Judge Bay Larsen of the CJEU.

- **European Commission**

Edith ZELLER reports about her meetings with DG Home, DG ENV, DG Justice and DG TAXUD in Brussels.

- **EJTN**

Edith ZELLER reports about the EJTN - partner meeting which took place on 31st January this year 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. She refers to the EJTN-joint seminars concerning environmental law in July 2018 and on conflict of norms in March 2019. There might be joint seminar concerning taxation law. In addition, Rule of Law seminars are planned; Edith ZELLER will be one of the experts, but there is no possibilities for us to get co-operation running in this respect.

- **CJEU**

Edith ZELLER reports that again (like last year) we could get two speakers this year for our seminars. Unfortunately, the dates of our meetings occurred to be in times of sessions and hearings of the court, therefore no official nomination by president Lenaerts was possible. However, these two speakers could come, which we highly appreciate and are grateful for this contribution of CJEU.

- **Council of Europe**

Edith ZELLER reports that last year we could get contributions from a judge of ECHR (Athens meeting) and an expert of the CoE could contribute to our seminar in Leipzig. In addition, here in Tallinn a member of CCJE could come and we appreciate the contribution of the CoE as well as are grateful for its support.

Edith ZELLER reports that our reports on the situation of judiciary to CCJE are important. It is our great opportunity to address our national problems and to make them transparent. It is an important tool also to make weaknesses of our systems more transparent in order to boost changes. The reports can be sent now on a yearly basis.

### **13. Reports concerning the actual situation of administrative judiciary in certain countries by Edith Zeller**

#### **Turkey**

AEAJ is still a member of the Platform "AEAJ, EAJ, MEDEL and J4J".

- AEAJ has sent an official letter of support to the nomination of Murat Arslan, president of YARSAV, for the Vaclav Havel human rights prize.

- Statement and list of demands was drafted, agreed and sent by us, the Platform, to European representatives. Many thanks to those of our members who supported and contributed by sending it to their respective national representatives.
- Participation in a video-conference, organized by ABA in August 2017.
- Meeting in February 2018 in Brussels of all partners of the platform to discuss details also about future activities and ways to proceed in order to assist Turkish colleagues as far as possible.

Edith ZELLER asks the General Assembly to give the Platform a contribution of 300.- per annum from AEAJ budget. The GA unanimously accepts this.

### **Ukraine**

Edith ZELLER reports on the ongoing judicial reform process. Judges of the courts, which have been abolished, still wait for their transfer. Some have resigned, some have not passed the procedure before the integrity council and some have gone to second (lower) instance. Some are still waiting what happens. A new anti-corruption court has been installed. The president elaborated on the critical points of the judicial reform. The problem amounts not only to Ukrainian colleagues but the danger to lower standards all throughout Europe, which again leads to endangered of rule of law-standards.

Due to the situation of the Ukraine association Edith ZELLER asks the General Assembly to empower the board to set the membership fee for 2019 and 2020 for the Ukrainian association at EUR 100.- per year. The General Assembly unanimously empowers the board to set the membership fee for the Ukrainian association for 2019 and 2020 at EUR 100.-.

### **Poland**

Edith ZELLER refers to all the information she has forwarded to the AEAJ-members.

The new judiciary council is in force since April 2018. Out of 7.000 Polish judges only 18 have applied for this council (for 15 positions). The Polish judges association and many Polish colleagues are very active. The general attitude of non-founded criticism against judges also affects administrative judges. AEAJ has reported CCJE about this. She referred to the detailed analysis, having been elaborated in the course of the seminar in Tallinn the day before the GA took place.

**Romania and Hungary:** Edith ZELLER reports on developments.

## **14. Work program AEAJ for 2018/2019**

Edith ZELLER reports about the future events:

- EJTN-AEAJ seminar in Trier, 9-10 July 2017: Thanks to the speakers of AEAJ.

- Environmental Law seminar 30-31 August in Salzburg: Many thanks to Werner Heermann and Anders Bengttson and to Barbara Weiss, who is the organizer at the spot.
- Asylum WG meeting will take place 13-14 September in Riga: Many thanks to the co-chairs!
- WG Tax will meet 11-12 October in Lisbon: Thanks to our Portuguese colleagues we could find this attractive venue! Many thanks to the co-chairs!
- AEAJ-EJTN conflict of norms seminar: in combination with a board meeting.
- Deutscher Verwaltungsgerichtstag: 15.-17.5.2019 in Darmstadt: AEAJ will have a workshop on „discretionary power of administrative judges“.

## **15. Miscellaneous**

- a) Edith ZELLER reports about the new EU Data protection regulation and refers to the already sent E-Mail by Karin WINTER concerning Art. 17 of the regulation. Furthermore we keep a record according to Art. 30 of the regulation, which will be updated in case of changes.
- b) Cornelia ZENS is going to support the work of Secretary General Karin WINTER by acting as her assistant.
- c) Edith ZELLER stresses again that the contact persons of national member associations of AEAJ have a key role – not only to disseminate information, but also to actively promote and support AEAJ by ensuring that each member receives the information on upcoming meetings and by reporting national needs to AEAJ. This might also support an increase in further active participation of members.