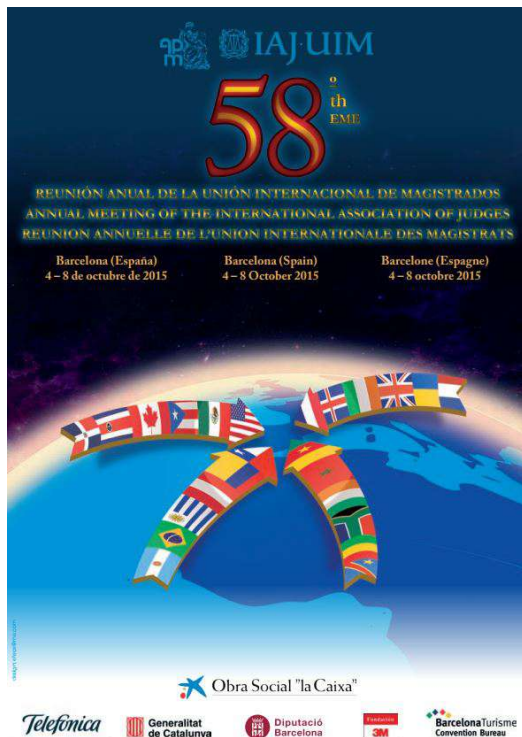




THE 58TH ANNUAL MEETING IN BARCELONA



In Barcelona the Study Commissions discussed the following subjects: “The relationship between effective management of the courts and the delivery of justice by independent judges” (1st Study Commission); “Expert evidence” (2nd Study Commission); “Juvenile Justice” (3rd Study Commission); “Reasons for dismissal of workers” (4th Study Commission). The national reports are available on the web site (<http://www.iaj-uim.org/study-commissions/>); please click on the relevant year (2015) and the topic. The conclusions are currently being distributed among the various National Associations and will be published in the above mentioned web page. (Accessible by clicking on “conclusions”, of each respective Study Commission).

The following designated subjects will be discussed by the Study Commissions in 2016: 1st SC: “Best practices within the judicial system for ensuring transparency and integrity and preventing corruption”; 2nd SC: “Class actions”; 3rd SC: “The Sentencing of Criminal Offenders”; 4th SC: “Social networks and labour relations”.

The following honorary Presidents also attended the event: namely Mr Beneti (Brazil), Mr Bento Company (Spain), Mr Markel (Austria), Mr Reissner (Austria), Mr Rodriguez Arribas (Spain), Ms Tratnik (Slovenia), Mr Woratsch (Austria). The Council of Honorary Presidents (see: <http://www.iaj-uim.org/council-of-honorary-presidents/>) also met in Barcelona under the presidency of Honorary President Woratsch.



The I.A.J. Secretariat-General

The 58th Annual Meeting of the I.A.J. took place in Barcelona, under the organisation of the *Asociación Profesional de la Magistratura* (Spanish Association), from the 4th to the 8th October, 2015.

In this issue of our newsletter information will be provided of the discussions in Spain conducted by the different working bodies of the IAJ organisation. The Central Council met on three separate days, making important decisions. These decisions affected firstly, the usual administration of our Association (budget, reports from the President, Secretary-General, Vice-Presidents responsible of the Regional Groups, representatives at the U.N., Foundation “Justice in the World,” approval of the conclusions and reports by the four Study Commissions and the selection of the new subjects, choice of date and venue of the 59th Annual Meeting, etc.); secondly; special issues, such as the admission of a new member, namely Iraq. Discussions on the “Monitoring Procedure”. The approval of three resolutions pertaining to Turkey, Ukraine and Uruguay. The approval of new procedures for the submission of resolutions to the Central Council. The discussion on the proposal of the Presidency Committee on priorities for the work of the Presidency Committee and the I.A.J. for the next three years.

Some of these aspects will be dealt encapsulated in this newsletter.

The Presidency Committee held three different meetings pertaining to the works of the Central Council and other activities of the IAJ which will be dealt with in this newsletter.

The four Regional Groups met on Monday, the 5th October, after the opening ceremony. Below please find a summation of the activities of the various study groups.

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MEETING OF THE CENTRAL COUNCIL – BARCELONA



The Central Council of the I.A.J. met in Barcelona under the Presidency of Ms Cristina Crespo on the 6th, 7th and 8th October. Of importance was the decision to approve a new budget, for the year 2015-2016. This scheme will take into consideration the following aspects:

- The economic crisis,
 - Attempts to secure judicial independence, realized through manoeuvres on salaries and the necessity to enhance IAJ activities. This will inevitably generate higher expenses, caused by the appointment of rapporteurs, IAJ's missions *in loco*, and incurred exceptional and unforeseen expenses.
 - The trend of IAJ members to move to lower contribution groups.
 - Regional Groups requesting the allocation of increased budgets.
 - The impossibility to increase annual contribution amounts.
- The existence of current bank reserves in the amount of more than 277,000.00 euro. A variation of the budget for 2015-2016 was arranged drawing money from the reserves for a total amount of 35,000 €, which will be allocated as follows:
 - an increase of 5,000 € in the budget of each Regional Group;
 - an increase of 5,000 € for each of the other three areas namely; (Presidency Committee; President; General Secretariat).

The above-mentioned increase is exceptional in character and will only be applied for the (October) 2015- (Autumn) 2016 budgetary year.

An important decision concerned the admission of Iraq as the 84th I.A.J. Member Association. The President, the Secretary-General and the whole Assembly congratulated the Representatives of the Iraq Association for this achievement, welcoming them into the international judicial family of the I.A.J. In respect to the arrear annual membership fees owed by the associations of Guatemala and Benin, the Central Council decided not to apply any statutory provisions for the next year. Such Associations will however lose their membership next year should they fail to settle their arrears in full before the next meeting of the Central Council in 2016.

The discussion on the "monitoring procedure" which commenced last year, continued. The President pointed out that the final deadline set by the Presidency Committee for Associations who have not complied is the 31st December 2015. Replies to questionnaires may be sent to <http://www.iaj-uim.org/periodic-monitoring/>.

The Assembly unanimously approved the new procedure for the submission of resolutions to the Central Council. This may be accessed on the web. See <http://www.iaj-uim.org/central-council/> (click on the link "Procedures for the submission of draft resolutions to the Central Council").

The President and the Secretary-General explained that the necessity of this proposal emanating from the Presidency Committee and the Secretary-General, is intended to avoid the "surprise effect" occasioned by the presentation of draft resolutions, declarations and motions without prior notice. These proposals will curtail long discussions and widespread discontent among delegations.

During the meeting of the Central Council in Barcelona, the delegation from Mexico confirmed its availability for the organisation of the I.A.J.'s meeting next year. It will be held in Mexico City, under the auspices of the Mexican Judges Association (*Comisión Nacional de Tribunales Superiores de Justicia de los Estados Unidos Mexicanos*). The date is from the 23rd – 28th October 2016.



The Central Council discussed the proposal of the Presidency Committee on priorities for the work of the Presidency Committee and the I.A.J. for the next three years. As far as the updating of the IAJ's "Universal Charter of the Judge" (see: <http://www.iaj-uim.org/universal-charter-of-the-judges/>), the Council was informed that a special commission will be set up, presided over by the First Vice-President Régnard and composed of the following members, namely: IAJ Secretary-General Mr Giacomo Oberto (Italy), Ms Janja Roblek (Slovenia), Ms Julie Dutil (Canada), Ms Allyson Duncan (USA), Mr Walter Barone (Brazil), Mr Mario Morales (Puerto Rico), Ms Marie Odile Thiakane (Senegal), and Mr Cherif Kone (Mali). Contacts will be held as well with the Council of Honorary Presidents, presided over by Honorary President Mr Guenter Woratsch.

Another priority for the work of the I.A.J for 2016 will be the fight against corruption in the Judiciary. Pertaining to this topic, the IAJ President Ms Cristina Crespo informed all IAJ Associations that the International Bar Association is working on an important survey conducted with the assistance of the Basel Institute on Governance. All Member Associations are invited to participate in an online survey, which should be completed by the 23rd October 2015. The questionnaire is available at the following link:

<https://survey.baselgovernance.org/index.php/236414>. For further information, colleagues may contact Ms Rocío Paniagua email address LPT@int-bar.org or claudia.baez-camargo@baselgovernance.org.

Three important resolutions were approved in Barcelona pertaining to the judicial independence in Turkey, Ukraine and Uruguay. (See more in this regard at <http://www.iaj-uim.org/central-council/> (click on the link "Declarations/resolutions").

MEETING OF THE PRESIDENCY COMMITTEE – BARCELONA

The Presidency Committee of the I.A.J. met in Barcelona on the 4th, 5th and 8th of October, presided over by the President, Ms. Cristina Crespo.

After the approval of the minutes of the last meeting and of the reports by the President, Secretary-General, and the Vice-Presidents of the various Regional Groups, the Committee dealt with the organisational aspects of the Central Council meeting in Spain. Discussions ensued with all the Presidents and the members of the boards of the four Study Commission pertaining to the new possible working methods. I.A.J. Vice-President Tony Pagone, in particular, drafted and submitted to the Presidency Committee and the Central Council (on the 8th of October) a paper entitled the "International Association of Judges Study Commissions: Possible Future Directions": this document is available at <http://www.iaj-uim.org/iuw/wp-content/uploads/2015/10/Study-Commissions-Possible-Future-Directions.pdf>.

The Presidency Committee discussed the developments of the activities of the special Commission presided over by Vice-President José Manuel Igreja Matos for the examination of the reports in the framework of the "Monitoring procedure" (Article 13, § 9 of I.A.J. Regulations).



A certain number of pending applications have also been dealt with: namely those from São Tomé e Príncipe, Yemen, Mauritania and Palestine. The Committee discussed the applications of Burundi and Cape Verde (countries which did not pay the administrative fee yet). None of these applications are ready to be submitted to the Central Council, as the Presidency Committee is waiting for the reports to be drafted by the selected rapporteurs. The Committee also addressed the issue of its relations with the Caribbean Association of Judicial Officers (CAJO) and the links between the latter and the Bermuda Association (the latter being an I.A.J. Member). Other themes on the agenda of the Presidency Committee related to its relations with international institutions such as the Hague Conference on private international law, the International Union for conservation of nature, the Foundation "Justice in the World," the United Nations and our representatives at the U.N. Offices in Geneva, New York and Vienna. The Committee took note of the request from its former Representatives in Vienna, Honorary Presidents Markel and Woratsch who asked to be

replaced. They were thanked for their precious work accomplished during these years. The Presidency Committee appointed Honorary President Mr Reissner as its I.A.J. Representative in Vienna.

MEETING OF THE REGIONAL GROUPS – BARCELONA

The meetings of the four Regional Groups took place at the same time on Monday, the 5th of October.

The meeting of the European Association of Judges – Regional Group of the I.A.J. was presided over by First Vice-President Mr Régnard, with the attendance also of the two other Vice-Presidents: Mr Igreja Matos and Mr Sessa. The Assembly discussed the reports by the two main Working Parties of the E.A.J. The President of the “Ways to Brussels” Working Group submitted his report and different draft documents on some of the most relevant activities under way in Brussels, namely the “Assises de la Justice,” the “Justice Scoreboard,” the Appointment of Judges for the European Court of Justice and the proposal from the European Commission on a new Investment Court System.

A report was also submitted by the President of the Working Group on the Situation of the EAJ’s Member Associations. The Assembly discussed in particular the situation in Croatia, Turkey, Ukraine and other Countries, working on two draft resolutions to be submitted to the Central Council which were latter approved. Information pertaining to the development of the work on the monitoring procedure of the members associations was discussed. The Assembly approved the proposal by the Presidency Committee and the Secretary-General on the “Procedures for the submission of draft resolutions to the Regional Groups and to the Central council”. President Régnard underlined the importance of representatives at meetings of the E.A.J., in particular of the European Commission for the Efficiency of Justice (CEPEJ). The Group appointed two members en-tasked with updating the universal charter of judges. These were I.A.J. Secretary-General Mr Oberto and Ms Roblek (Slovenian Representative). Finally, the Israeli representative provided information on the next meeting, due to be held in Jerusalem from the 21-24 May, 2016.

The African Group met under the chairmanship of I.A.J. Vice-President Mr Cagney Musi, President of the Group. The Assembly dedicated a large part of its meeting to the reports of the representatives of the African Countries in attendance. All delegates took the floor illustrating problems and challenges concerning the African Judiciary. The Group debated the possible alteration of the Statutes in order to admit Associations from Iraq and Palestine. Once admitted, the I.A.J. President Musi illustrated the proposal by the Presidency Committee and the Secretary-General on the new procedure for the submission of draft resolutions to the Regional Groups and the Central Council. The Chief of the delegation from the Democratic Republic of the Congo, Mr Mutenda Lukusa, on behalf of his association, confirmed its intention to host the next meeting of the group in Kinshasa in June 2016.



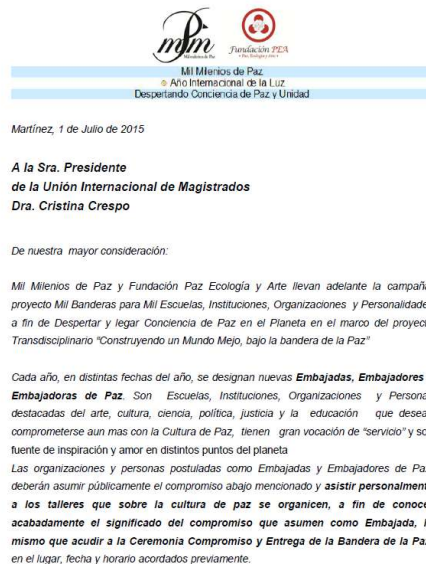
The ANAO Group met under the chairmanship of I.A.J. Vice-President Mr Toni Pagone, President of the Group. The Assembly approved the meetings of the Group in Brazil on 9 November 2014, as well as the minutes of meeting held by video link. After the report by President Pagone, delegates from the Member Associations submitted reports on the situation of the Judiciary in their respective Countries. The Assembly discussed the report of the Working Group on the Recruitment of New ANAO Members and the relations to Bermuda and the Caribbean Associations. Other topics on the agenda were the ANAO Constitution, ANAO Conference on Social Media (under the coordination of Justice Blair) and the Monitoring Reports of ANAO Members.

The Ibero-American Group met under the chairmanship of I.A.J. Vice-President Mr Rafael De Menezes, President

of the Group. The Group approved the minutes of the meeting in Merida and discussed the report by the President. President De Menezes informed the Assembly on the works of the seminar on corruption to be held in Recife (Brazil) in February 2016 and on the relations to English-speaking Caribbean Countries. He provided information on the possible updating of the Universal Charter of the Judge, as well as the ongoing Monitoring Procedure pertaining to the I.A.J. Member Associations. After a large discussion on the situation of the Judiciary in Latin American Countries, the Group discussed the preparation of next year’s meeting in Peru.

“Bandera de la Paz” (Banner of Peace) awarded to the International Association of Judges

On July 1st, 2015 the *Bandera de la Paz* (Banner of Peace) has been awarded to the International Association of Judges.



The whole letter is available at the following web site:

<http://www.iaj-uim.org/iuw/wp-content/uploads/2015/07/carta-UIM-Dra-Crespo.pdf>

For a presentation of the International Committee for the Banner of Peace – A Non-Governmental Organization of the United Nations, pls. click on this link:

<http://banderadelapaz.org/en/index.shtml>.

In memoriam



Lothar Jünemann

*18.09.1958 †29.07.2015

All IAJ Member Associations have been deeply shocked and saddened by the sudden death of our colleague Lothar Jünemann, which occurred on the 29th July, 2015. Lothar had been a member of the German delegation for many years, playing a relevant role in the life and activities of our organisation. The Presidency Committee and the Secretariat-General expressed their condolences in a message to the family, sending a garland of flowers. The EAJ President Mr Christophe Régnard, IAJ Honorary President Mr Gerhard Reissner, the Representative from Belgium, Mr Pol van Iseghem and the Representative from Switzerland, Mr Thomas Stadelmann attended the funeral, which took place in Berlin. In Barcelona a minute of silence was observed at the opening of the meetings of the Central Council and of the European Association of Judges.