



LOOKING TOWARDS THE MEETING IN MARRAKESH



Dear colleagues,

The next IAJ annual meeting, which takes place in Marrakesh (14th – 18th October 2018), will be rich with events affecting the life of the IAJ and the activity of the Central Council.

Specifically, elections for the posts of IAJ officials will take place, together with a discussion and a vote on some statutory amendments.

As for the latter, the Presidency Committee is proposing to revise the monitoring procedure, as introduced some years ago. The need to evaluate the monitoring procedure arises from the obligation upon each member association under Article 13(7) of the Regulations to provide in 2020 a summary of the situation of their association which is sufficient to show compliance with Articles 4(2) and (3) of the Constitution. The obligation arose for the first time in 2015 and imposed significant burdens on each member association, the Secretariat-General and the working party which had been created to evaluate the responses and to report upon the monitoring process. The procedure must be repeated in 2020 and again every five years unless Article 13(7) is altered. The Presidency Committee considers it essential, in such circumstances, that any amendment is made before 2020. It is recommended that Article 13 be amended by deleting sub-articles 13(7), (8) and (9), and by the consequential deletion of the framework attached to the Regulations. It is also recommended that Article 13(2) be amended by changing the reference to 33% to 20% to reflect the fact that Article 13(2) contains an important safeguard to the principles of the IAJ by allowing a sufficient number of existing members to commence, and in certain cases to require, an investigation into whether any one of the members should be permitted to remain as a member.

The Presidency Committee also recommend that the Constitution be amended to permit limited participation in the IAJ for international associations or representative groups of judges, which would not otherwise be admitted to membership but which the Presidency Committee considers it desirable to invite to participate as affiliate members. The Commonwealth Magistrates and Judges Association is an example. The Caribbean Judges Association is another. Each is an association of associations from different countries but with objectives compatible with those of the IAJ, both of which could make valuable additions to the work of the IAJ on a long term co-operative basis if they were admitted as affiliate members with limited rights to participate in the work of study commissions and regional associations without having voting rights at Central Council.

The Central Council will be also called, on the basis of the resolutions already adopted by the Regional Groups, to update the 1985 UN Basic Principles on the Independence of the Judiciary.

As for the admission of new members, the Central Council will be called to vote on applications from Angola, Bolivia, Ecuador and Guatemala.

The Marrakesh meeting will also see the participation of a number of guests and observers. Among these a key role will be that of the UN Special Rapporteur on the Independence of Judges and Lawyers, Mr. Diego Garcia Sayan, who is really a great friend of the world judiciary and a courageous champion of judicial independence. In addition, there will be representatives from International Association of Prosecutors, Commonwealth Judges and Magistrates Association, International Bar Association, UNODC, Latin-

American Federation of Judicial Associations and the International Union of Portuguese Speaking Judges, together with observers from prospective new IAJ members, such as (apart from the already mentioned four applicant associations) Gabon and New Zealand.

Lastly, as to the Study Commissions, these will discuss the following items:

- 1st Study Commission: “The trend of public criticism towards judges and judicial decisions in a disrespectful manner by other state powers, the media and in social media”;
- 2nd Study Commission: “Strategies for effective case management”;
- 3rd Study Commission: “: A. Treatment of witnesses, including children, protected witnesses and sexually abused victims. B. Trial Procedures. C. Mandatory sentences”;
- 4th Study Commission: “Rights and obligations of refugees: a risk of modern slavery?”

As usual, agendas for the meetings of the Central Council and Regional Groups meetings will be sent to you about one month prior to the event and published in our website.

Looking forward to seeing you all in Marrakesh, I wish you an excellent summer,



Giacomo Oberto
Secretary-General of the IAJ

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MEETING OF THE PRESIDENCY COMMITTEE IN ROME (JUNE 2018)

MEETING OF THE PRESIDENCY COMMITTEE– ROME
22nd and 23rd June 2018

The IAJ Presidency Committee met in Rome on 22nd and 23rd June, 2018. In attendance were the President, Christophe Régnard, the Secretary-General, Giacomo Oberto, the First Vice-President Mr Tony Pagone, as well as Vice-Presidents José Manuel Igreja Matos, Duro Sessa, Mikael Sioberg, Rafael de Menezes and the Deputy Secretaries-General, Lucio Aschettino, Galileo D'Agostino and Raffaele Gargiulo.

The Committee heard and discussed the reports by the President, Secretary-General and Presidents of the four Regional Groups. It discussed and approved then the proposal of statutory amendments to be submitted to the Central Council in Marrakesh.

Such amendments deal with the reform of the current monitoring procedure system, which should be abolished and replaced by a system in which monitoring can be activated by member associations or by the Presidency Committee, when needed. In particular, it must be pointed out that Article 13(2) contains an important safeguard to the principles of the IAJ by allowing a sufficient number of existing members to commence, and in certain cases to require, an investigation into whether any one of the members should be permitted to remain as a member. The Presidency Committee also recommends that the Constitution be amended to permit limited participation in the IAJ of international associations or representative groups of judges, which would not otherwise be admitted to membership but which for whatever reason it may be desirable that the Presidency Committee invite to participate as affiliate members. All associations will receive the proposals in due course and will be called to vote on them in Marrakesh.

The Presidency Committee also discussed the item of relations with the UN Special Rapporteur on the Independence of Judges and Lawyers, Diego Garcia-Sayan. In this context, the Presidency Committee decided to propose in Marrakesh the approval of a resolution by the whole IAJ similar to those already adopted by all Regional Groups, calling the UN to revise and update the Basic Principles on the Independence of the Judiciary of 1985, as a natural consequence of the adoption of our Universal Charter.

President Régnard also pointed out that the UN Special Rapporteur has asked the IAJ to provide for a mechanism that allows a regular flow of information on the subject of judicial independence in the most “sensitive” countries. The Presidency Committee therefore asks any Regional Group to send regularly (e.g. every three months) updated and reliable information on the judiciary of countries in which judicial independence might be at risk. To that end, Regional Groups should ask their members to send regularly updated information (e.g. how many judges in jail in Turkey, how many under process, what are the new laws adopted in a certain country, what are the new bills discussed in a given parliament, etc.) to the Special Rapporteur.

The President also informed the Committee that in Marrakech there will be an open forum where delegates will be able to address Mr. Diego Garcia-Sayan directly in order to provide him with “fresh” information on what is going on in particular countries. As the available time allocated for this will not be very long, to the plan is that the Presidency Committee should filter the issues in advance and so a message will be sent to national associations asking that they contact the Presidency Committee giving advance notice of what they would wish to raise with the UN Rapporteur during the meeting in Marrakesh.

As far as the IAJ future annual meetings are concerned, the Presidency Committee discussed the proposals from Costa Rica and Kazakhstan, taking note that both countries are available only for 2019. A decision shall be adopted by the Central Council in Marrakesh. The Presidency Committee also noted that availability had been expressed by Israel.

The Presidency Committee went on to take note of the fact that the Lesotho association is in the situation described by Article 5(2) of the IAJ’s Statutes, according to which “If the payment of a member’s subscription is in arrears of over three years, that member shall cease to belong to the Association unless the Central Council decides to the contrary.”

As for the applications for membership the Committee expressed a favourable opinion on the reports on Angola, Bolivia, Ecuador and Guatemala. The reports will be distributed very soon among member associations, which will be called to vote on the admission of those countries in Marrakesh.

As for the priorities for the work of the Presidency Committee and IAJ for the triennium 2018-2020, President Régnard pointed out that such priorities will be the following:

- (1) Encouraging the creation of judges associations: on this point Vice-President Sioberg will chair in Marrakesh the first meeting of the working group charged with drafting some model statutes for prospective new judges associations;
- (2) Fight against corruption in the judiciary: Vice-President Igreja Matos reported on the state of works on this subject;
- (3) Judicial education: Vice-President de Menezes pointed out that he is going to set up a working group composed of judges from the four Regional Groups: the work will focus on subjects such as refugees, environmental law, corruption, artificial intelligence and other themes of educational interest for judges.

The Presidency Committee also discussed the relations with the Hague Conference on Private International Law and took note of the reports from the IAJ’s Representatives at the U.N.O. offices in New York, Geneva and Vienna – together with the report of the Executive President of the Foundation “Justice in the World,” taking some decisions on the development of further relations to such body.



The “Aula Magna” of the Supreme Court of Cassation in Rome (Italy)

MEETING OF THE EUROPEAN ASSOCIATION OF JUDGES – BERLIN (MAY 2018)

MEETING OF THE EUROPEAN ASSOCIATION OF JUDGES
BERLIN (GERMANY)
24th - 26th May 2018

The springtime meeting of the European Association of Judges, European Regional Group of the IAJ, took place in Berlin (Germany), from 24th to 26th May 2018, under the organisation of the German Association of Judges. In attendance were 40 IAJ European Member Associations. The meeting was presided over by EAJ President, José Manuel Igreja Matos, with the attendance of the IAJ President, Christophe Régnard; the IAJ Vice Presidents Đuro Sessa and Mikael Sjoberg; the Honorary Presidents Gerhard Reissner, Maja Tratnik and Günter Woratsch; the Secretary-General, Giacomo Oberto; the Deputy Secretaries-General, Lucio Aschettino, Galileo D'Agostino and Raffaele Gargiulo.

Among the numerous items on the agenda we may mention the comprehensive report by the EAJ President, who, among other things, invited the EAJ Working Groups, and in particular, the Working Group on the situation of National Associations, to designate a rapporteur who may draw three times a year a brief report, to be addressed to the UN Special Rapporteur on the Independence of Judges and Lawyers, Mr. Diego Garcia-Sayan. This report can be done either in English, or in French or in Spanish. President Igreja Matos as well informed the Assembly that the Presidency Committee had decided to invite the UN Special Rapporteur to dedicate a part of his intervention in Marrakesh to hear complaints from some selected countries. Any association wishing to address the Rapporteur in Marrakesh is therefore invited to previously inform the Presidency Committee through a message sent to the Secretariat-General. The Presidency Committee will then select what situations deserve this special attention in Marrakesh.

Special presentations were made on the subject of the relations to OSCE (by a representative of this Organisation), on the situation in Poland (by a representative of the Polish Association) and on the situation in Turkey.

In particular, as far as the state of the Turkish judiciary is concerned, taking into account the threats on our colleagues and their families, we prefer not referring in this newsletter to the exhaustive information provided and the debates held in Berlin. Complete information will be given to delegates during the meetings of the Central Council in Marrakesh.

President Igreja Matos underlined that the EAJ donated about 115,000 euro, supporting 96 families (20% of the requests received). He stressed the need for a second wave of donations and announced the drafting of a letter to invite national associations to a new effort. He encouraged the assembly to stay focused on the situation of the Turkish colleagues.

Sir Simon Picken (UK) took the floor and invited the EAJ members to consider the message sent to Turkish authorities and media by individual judges going to Turkey being invited at individual title. President Igreja Matos agreed and exhorted European associations to warn their members against the risk of being manipulated. Mr. Schneiderhan (Germany) took the floor underlining that Turkish authorities were trying to create a network in Europe and that the EAJ should make clear that the Turkish judiciary was represented only by YARSAV and not by other organisations.



Ms. Marzagalli (Italy) took the floor to inform the Assembly about the strong commitment of Italy in supporting the independence of judges in Turkey. The Italian High Council of the Judiciary, as a member of the Balkan and Euro-Mediterranean Network, suggested suspending the Turkish Council from the Network. Unfortunately, the Network's Board refused to include this proposal in the agenda of the meeting held in Bulgaria last year. Therefore, the Italian Council suspended itself from the Network until the Board will put in the agenda the issue of the suspension of Turkish Council from the Network. Moreover, the Italian High Council did not take part in the elections of the Network's Board as a protest against the unfair Board's behaviour. President Igreja Matos expressed the appreciation and support of the EAJ for the position taken by the Italian High Council of the Judiciary and instructed the General Secretariat to record in the minutes this statement.

Apart from the above mentioned cases, thorough information on existing problems in European judiciaries was provided by the Chair of the Working Group on the situation of Member Associations, Mr. Gass. He also informed the assistance about the efforts made in view of a possible protocol to the European Convention on Human Rights, or, as an alternative, a new European Convention on the minimum standards on judicial independence, on the basis of the principles already enshrined in the Recommendation No. R 12/2010 of the Council of Europe. Talks and contacts are under way with the Parliamentary Assembly of the Council of Europe in order to reach the goal of finally having not just a recommendation, but a binding set of rules on these themes. The Chair of the Working Group "Ways to Brussels", Mr. Schneiderhahn, also informed the Assembly about the state of works within his panel and some new legislative initiatives from the EU.

As for the next EAJ meetings, the 2019 springtime meeting shall take place in Copenhagen, whereas Portugal offered to host the 2020 springtime meeting in Porto. Both proposals were enthusiastically welcomed by the Assembly.

The EAJ meeting in Berlin had been preceded, on 24th May, 2018, by an international conference, organised by EAJ in co-operation with the German Association (*Deutscher Richterbund*), on the following subject: "Independence of Justice and Dangers for the Rule of Law in Europe." Panellists were: Mr. José Manuel Igreja Matos, EAJ President; Mr. Jens Gnisa, President of the German Judges Association; Ms. Katarina Barley, Federal Minister of Justice of Germany; Mr. Frans Timmermans, First Vice-President of the European Commission; Mr. Thomas von Danwitz, Chamber President of the Court of Justice of the EU; Mr. Carlo Ranzoni, Judge of the European Court of Human Rights; Mr. Christophe Régnard, IAJ President and Ms. Helene Bubrowski, Journalist of the German Newspaper "Frankfurter Allgemeine Zeitung."

During the meeting in Berlin on 25th May 2018, the EAJ unanimously adopted following five resolutions, as follows:

1. Resolution on Article 2 of the EU Treaty
2. Resolution on the Need to Update 1985 UN Basic Principles on the Independence of the Judiciary
3. Resolution on Poland
4. Resolution on Serbia
5. Resolution on Turkey



Such resolutions are all available in our web site: just click on the following link:

<http://www.iaj-uim.org/news/five-resolutions-adopted-by-the-eaj-on-25th-may-2018-in-berlin/>

MEETING OF THE IBERO-AMERICAN GROUP – BRASILIA (APRIL 2018)



MEETING OF THE IBERO-AMERICAN GROUP – BRASILIA (BRAZIL)
16th – 18th April 2018

The springtime meeting of the Ibero-American Regional Group of the IAJ took place in Brasilia (Brazil), from 16th to 18th April, 2018, under the organisation of the Brazilian Association of Judges. In attendance were the majority of Associations belonging to the Group. The meeting was presided over by its President, Rafael de Menezes, with the attendance of the IAJ President, Christophe Régnard and of the Secretary-General, Giacomo Oberto, who delivered a speech in Portuguese, available under the following URL: <http://www.iaj-uim.org/news/speech-held-in-brasilgia-by-the-iaj-secretary-general-at-the-opening-ceremony-of-the-meeting-of-the-i-b-a-group/>.

President de Menezes informed the Assembly about his attendance in the event which took place in Vienna for the launch of the Global Judicial Integrity Network of the UNODC, together with a number of other representatives of the IAJ. He pointed out that the Network web page is reachable under the following URL: <https://www.unodc.org/ji/en/registration.html>.

As far as the situation of Member Associations is concerned, President de Menezes recalled the statement to support judicial independence in the Dominican Republic, at <http://www.iaj-uim.org/es/news/solicitacion-a-el-consejo-judicial-de-a-republica-dominicana/>. He also dwelled on the terrible political and economical situation in Venezuela: actually, many judges are now seeking refuge in neighbour countries; some of them have been received by the associations of Chile and of Brazil. Most of them are in need of work while the situation gets better in Venezuela, so they can be back home.

President de Menezes also informed the Assembly on a number of initiatives he was involved in, and namely:

- Environmental Law: as judicial education is also a priority for IAJ, the IBA Group offered lectures on environmental law with judges and professors from the Global Judicial Institute of the Environment – GJIE. The institute attended IBA's last two meetings in Santiago and Brasilia, and they shall be also in Marrakesh for another lecture.
- World Water Forum: President de Menezes was invited for the World Water Forum held at Brasilia in March. IAJ Honorary President Cristina Crespo was there on IAJ's behalf and took part in a meeting of judges, with the approval of a letter available at <https://www.iucn.org/commissions/world-commission-environmentallaw/events/brasilia-declaration-judges-water-justice-adopted-8th-worldwater-forum-19-21-march-2018>. The letter was written after a three day discussion with fifty judges from all over the world, concerned with the use and protection of the sources of water, because without water there is no life.
- Domestic Violence: as judicial education is also a priority for IAJ, IBA Group offered in Santiago a lecture on domestic violence, provided by the International Bar Association Human Rights Institute – IBAHRI. The international bar association did not attend the meeting at Brasilia, but they shall travel to Marrakesh. More information at https://www.ibanet.org/Human_Rights_Institute/IBAHRI-About.aspx.
- Woman Judges: President de Menezes has been in touch with the International Association of Woman Judges – IAWJ. They invited him to hold a lecture in their biennial assembly last May in Argentina about domestic violence.
- OAS hearings: the organization of American states – OAS, realizes thematic hearings for discussing human rights problems in our region. Chile, Costa Rica and Colombia are volunteers for proposing at IBA Group how to apply for these hearings. More information at <http://www.oas.org/es/cidh/>.
- Costa Rica: the local Association organized in March an academic congress to celebrate its 25th anniversary. President de Menezes could not attend, but IBA Group Vice-President Francisco Silla from Spain was there, among many colleagues from the region, and IAJ Vice-President Jose Manuel Igreja Matos.

President de Menezes informed the Group that they had decided to follow the European Association of Judges in establishing a financial fund for supporting judges like the ones in Turkey, who are being pursued by the political power. Brazil, Colombia and Uruguay are responsible for organizing this fund in Latin America. They will report during the Group's meeting in Marrakesh.

As for the IAJ's Working Group on guidelines for creating new associations, the IBA Group appointed Judge Carlos Salgado from Porto Rico, and charged him to work with IAJ Vice-President Mikael Sjoeborg, who is the co-ordinator of this initiative, decided by the Presidency Committee.

Applications for membership are currently under way from four Latin American Countries: Bolivia, Ecuador, Guatemala and Honduras.

Finally, the Group approved a statement about Spain, supporting our colleagues, with internal problems about budget and appointment of the members of their Judicial Council. The statement is available at <http://www.iajuim.org/es/news/iab-group-declaration-on-the-situation-in-spain/>.



MEETING OF THE AFRICAN REGIONAL GROUP – ALGIERS (MAY 2018)



MEETING OF THE AFRICAN REGIONAL GROUP – ALGIERS (ALGERIA)
6th - 10th May 2018

The springtime meeting of the African Regional Group of the IAJ took place in Algiers (Algeria) from 6th to 10th May 2018, under the organisation of the Algerian Association of Judges. In attendance were 14 IAJ African Member Associations, as well as a delegation from Gabon, which was admitted as observer, in view of a possible application for membership. The meeting was presided over by IAJ Vice-President Cagney Musi, with the attendance of IAJ President Christophe Régnard, Vice-President José Igreja Matos, Deputy Secretaries-General Raffaele Gargiulo and Lucio Aschettino.

The meeting of the Group took place in the framework of an international conference on the topic of Judicial Ethics, also in the light of the recent adoption of the Universal Charter of the Judge by the Central Council of the IAJ; the event had been organised by the Group and by the local Association. During this conference many international participants took the floor and final resolutions were adopted.

President Musi submitted his report and coordinated the presentation of national reports by delegates in attendance. He also took the floor on the subjects of the application of Angola and of the interest shown by Burkina Faso, Gabon and Uganda on a possible application for membership.

The Group approved (as all the other Groups also did) a resolution on the need to update the UN Basic Principles on the Independence of the Judiciary of 1985. It approved as well recommendations (see below) on the need to strengthen the African Group.

The President of the Algerian Association of Judges, Djamel Aidouni, was designated as candidate of the Group for the IAJ Vice-Presidency and for the Presidency of the African Regional Group in the upcoming elections to be held in October in Marrakesh.

The delegation of Guinée Conakry offered the organisation of the springtime meeting of the Group in 2019. The proposal was thankfully agreed upon and welcomed by the Assembly.

The 23rd meeting of the African regional group of the international association of judges
the 7th and 8th of may 2018, ALGIERS, ALGERIA

Recommendations

the African regional group of the international association of judges

Considering that the commodities and facilitations put under all delegations disposition and the average wholesales and disclaimed means by the authorities of the democratic and popular republic of Algeria contributed to the perfect success of the 23rd group meeting

Considering the density and pertinence of the scientific presentations made during this conference that showed that the judge's deontology

Is the guaranty of the judge's probity and remain the basis of a rightful, fair and reassuring justice for persons within the respect of the judge's dignity

Considering, as underlined by the minister of justice keeper of the seals at the opening of this session, the nowadays globalization context induced a litigation complexity with an emergence of the transnational criminality whom cybercrime is an aspect that became a very worrying phenomenon, obliging to take vigorous measures in order to fight it.

Considering that the meetings of the African regional group of the international association of judges on African lands as this processing one, are rare occasions of experience confrontation and mutual enrichment essential to a good jurisdiction running

Recommends

1-to the African group president of the international association of judges to deploy the maximum efforts in order to contact non member associations of judges to ensure their adhesion to the international association of judges

2-to the member associations to be more implicated by judge's deontology rules vulgarization and appropriation in their homeland countries and encourage countries that do not have such rules to adopt them

3-to the member associations to undertake the necessary steps toward their government, if not already done, in order to strengthen the mutual judicial assistance mechanisms with the objective of a cybercrime and transnational organized crime convention conclusion.

4-assure all member associations of its availability to help them in the enforcement of the present recommendations.

Algiers the 8th of may 2018
The African group of the I.J.A

WEB BASED MEETING OF THE ANAO REGIONAL GROUP (MAY 2018)

WEB BASED MEETING OF THE ANAO GROUP
16th MAY 2018

The web based meeting of the ANAO Regional Group of the IAJ took place on 16th May, 2018, under the co-ordination of the First Vice-President of the IAJ and President of the Group, Justice Tony Pagone. The meeting had members from Australia, Canada, United States, Mongolia and Taiwan.

The President informed the members of the Group that he had encouraged the New Zealand association to take steps to be created and, in due course, to apply for membership. The Group as well welcomed East Timor to the ANAO Group. In his report, Justice Pagone congratulated Justice Richard on being appointed Chief Justice for New Brunswick. He then explained that United Nations Office on Drugs and Crime held a conference in Vienna, Austria in April 2018 launching the Global Judicial Integrity Network. Representatives of stakeholder groups from around the world attended. The IAJ was represented by President Christophe Régnard, who spoke at the opening session. Several ANAO members attended in other capacities: Justice Pagone, Justice Davies, Justice Atkinson, Judge Kendall, and Judge Duncan. José Matos, Duro Sessa, Adrian Saunders and Giacomo Oberto were also present.

President Pagone then informed the Group that works are ongoing on a possible reform of the current monitoring procedure. This procedure was first imposed in 2015, and was to be repeated every five years. It was a cumbersome procedure, and imposed significant obligations on member associations, the secretariat, and the group created to evaluate the voluminous responses. Furthermore, because the material is self-reported, it is frequently skewed. At the Presidency Committee meeting in Santiago, a working group was created to evaluate the process. It is chaired by Vice-President Mr. José Matos, with the assistance of First Vice-President Tony Pagone. Its members are Vice-Presidents Duro Sessa, Cagney Musi, Rafael de Menezes, and Ms. Allyson Duncan for the ANAO Group.

After this, Justice Blair reported that the issue of judicial security would be discussed at the annual meeting. Judge Duncan circulated a draft paper. Justice Davies, Justice Grace Yin-Lun Lin, and Elsie Ochoa will respond, and Judge Tsend will file a written response.

As far as new prospective members are concerned, President Pagone stated that he spoke with the Chief Justice of Papua New Guinea about joining the IAJ and sent a letter the Chief Justice a letter regarding the same. He has not received a response. Judge Tsend reported that recruitment efforts in Central Asia, including Bhutan and India, have been unsuccessful. Justice Pagone reported that he sent a letter regarding the IAJ to judges from Sri Lanka but did not receive a response. He believes that Malaysia and Singapore could be candidates in the future, and that Japan might participate again more actively.

Judge Duncan explained a modest amendment to the ANAO constitution to rename the positions of senior vice president and junior vice president the first vice president and second vice president. Judge Mailhot and Justice Pagone expressed their agreement, and Justice Pagone explained that the amendment would be voted upon in Marrakesh.

ANNEX I

Declaration on Judicial Integrity
Approved in the Framework of the
Launch of the Global Judicial Integrity Network
by UNODC (United Nations Office on Drugs and Crime) with the Substantial Contribution of IAJ
(VIENNA, 9th AND 10th APRIL 2018)

Recalling Article 11 of the United Nations Convention against Corruption, which recognizes the crucial role of the judiciary in combating corruption and requires that States parties, in accordance with the fundamental principles of the legal system and without prejudice to judicial independence, take measures to strengthen integrity and prevent opportunities for corruption among members of the judiciary, including rules with respect to the conduct of members of the judiciary;

Recalling Doha Declaration of 2015, adopted by the Thirteenth United Nations Crime Prevention and Criminal Justice Congress, in which Heads of State and Government, Ministers and Representatives of Member States reaffirmed their commitment and strong political will in support of effective, fair, human and accountable criminal justice systems and the institutions comprising them;

Convinced that a judicial system based on the principles of independence, impartiality, integrity, transparency, accountability and professionalism is key to the rule of law, to upholding public trust, and to ensuring the effective delivery of justice;

Recalling the pioneering and continuing work carried out by the Judicial Integrity Group, including in the development of the Bangalore Principles of Judicial Conduct, the Commentary thereto and the Implementation Measures;

Reaffirming our commitment to the effective implementation of the Bangalore Principles of Judicial Conduct, as endorsed by ECOSOC Res. 2006/23;

Recalling with appreciation the work of the United Nations Office on Drugs and Crime in developing the Resource Guide on Strengthening Judicial Integrity and Capacity and the Implementation Guide and Evaluative Framework for Article 11 and in providing assistance to States in strengthening judicial integrity, independence, accountability, capacity and professionalism;

We, the members of Judiciaries and other justice sector stakeholders here gathered, on 9 and 10 April 2018 at the United Nations in Vienna, decide to:

1. Continue our efforts in upholding judicial independence and promoting integrity, accountability and transparency in the justice system;
2. Strengthen our efforts to protect judges, including by ensuring that they can decide matters before them impartially, on the basis of facts and in accordance with the law, without any restrictions, improper influences, inducements, pressures, threats or interferences, direct or indirect, from any quarter or for any reason, and the protection of their security of tenure;
3. Promote peer-learning and the exchange of good practices in strengthening and upholding judicial integrity;
4. Support the continuing efforts of the Judicial Integrity Group towards the strengthening of judicial integrity;
5. Support the creation and the strengthening of oversight, evaluation, disciplinary and other accountability mechanisms, without prejudice to judicial independence;
6. Support initiatives that promote transparency in court process and case management, as well as in the appointment, selection, recruitment, retention, promotion and retirement of heads of courts, judges, magistrates, other judicial office holders and court personnel;
7. Without prejudice to judicial independence, support initiatives that promote continuous judicial education and in particular training on effectively complying with relevant standards of conduct and on gender-related topics, such as sextortion and sexual harassment, recognizing that judicial training is essential for objective, impartial and competent performance of judicial functions and for securing public trust and confidence;
8. Work together, as appropriate, to develop guidance materials and other knowledge products to help our judiciaries to address new challenges to judicial integrity and independence, including those created by the emergence of new information technology tools and social media;
9. Recognizing that the above-mentioned objectives should be pursued at the global level to the benefit of every region, launch the Global Judicial Integrity Network as a platform of mutual learning and support, and welcome the readiness of the United Nations Office on Drugs and Crime to facilitate the Network; and
10. Invite all judges and judiciaries to participate in the Global Judicial Integrity Network.

We wish to express our appreciation to the United Nations Office on Drugs and Crime for hosting this first meeting of the Global Judicial Integrity Network, and to the State of Qatar for supporting the initiative. We also wish to express our appreciation to the Chief Justice of the State of Qatar for proposing to host the next Conference of the Global Judicial Integrity Network.

For further information on the subject, contact Ms. Roberta Solis – Crime Prevention and Criminal Justice Officer, Judicial Integrity Corruption and Economic Crime Branch, United Nations Office on Drugs and Crime – T:+43-1-26060-83245/M: +43-699-1458-3245 roberta.solis@unodc.org and Mr. Oliver Stolpe, Senior Programme Officer Global Programme for the Implementation of the Doha Declaration Corruption and Economic Crime Branch United Nations Office on Drugs and Crime – T: +43-1-26060-4372/M: +43-699-1459-4372 oliver.stolpe@unodc.org.

ANNEX II

*Declaration on Spain
Adopted in Brasilia by the Ibero-American Group of the IAJ*

DECLARACION DEL GRUPO IBA SOBRE LA SITUACION EN ESPANA

El Grupo Iberoamericano de la UIM, muestra su apoyo a las reivindicaciones que durante estas fechas están llevando a cabo los Jueces y Magistrados así como los miembros de la Fiscalía del Reino de España, por cuanto que todas estas reivindicaciones son acordes con el contenido de la Carta Universal del Juez aprobada en Santiago de Chile el 14 de noviembre de 2017.

Estas reivindicaciones consisten en un reforzamiento de la independencia externa e interna del Poder Judicial que se ha visto afectada durante los últimos años.

Independencia externa, para cuyo logro interesan la reforma del sistema de elección de la mayoría de los miembros del Consejo General del Poder Judicial de forma directa por Jueces y Magistrados y de entre los integrantes de la carrera judicial, así como la devolución a este órgano de las competencias que les fueron retiradas en las últimas reformas; una protección eficaz a los integrantes de la carrera judicial contra las amenazas y ataques de cualquier tipo que se les pueda dirigir por el desempeño de su función jurisdiccional, como los ocurridos durante los últimos meses contra ellos y sus familias; supresión de los Magistrados autonómicos; y, que los nombramientos discrecionales que se efectúen obedezcan a criterios exclusivos de mérito y capacidad.

Independencia interna, para lo que se precisa un aumento de la dotación presupuestaria a fin de que se puedan afrontar los retos de una modernización de la Administración de Justicia; un incremento de la plantilla judicial acorde con la carga de trabajo; actualización de la Ley de Planta y Demarcación en consonancia con la realidad social del momento; revisión de la regulación de la oficina judicial; mejora de las condiciones profesionales recuperando el poder adquisitivo de las remuneraciones, las licencias y permisos de las que fueron privados tras la reforma de la LO 8/2012.

ANNEX III*Resolution Adopted by All IAJ Regional Groups
and namely by:*

*The Ibero-American Regional Group in Brasilia (18th April 2018),
The African Regional Group in Algiers (8th May 2018),
The A.N.A.O. Regional Group in its web-based meeting (16th May 2018),
The European Association of Judges in Berlin (25th May 2018),
on the Need to Revise and Update
the UN Basic Principles (1985) on the Independence of the Judiciary*

RESOLUTION on

Updating the “Basic Principles on the Independence of the Judiciary” adopted by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Milan from 26 August to 6 September 1985 and confirmed by the General Assembly in its resolutions 40/32 of 29 November 1985 and 40/146 of 13 December 1985

The International Association of Judges (“the IAJ”) observes first that in 2014 it decided to update its reference text the “Universal Charter of the Judge”, which had not been revised since its adoption at the annual meeting of the IAJ in Taiwan in 1999.

Following that decision, a new Charter was adopted unanimously by the IAJ member associations at its annual meeting in Santiago de Chile in November 2017.

The IAJ continues to welcome the adoption by the United Nations in 1985 of the “Basic Principles on the Independence of the Judiciary.”

The IAJ considers that these general principles continue to be relevant 33 years after their adoption and stresses the importance of worldwide rules designed to ensure the independence of judges and to enable judges, through the creation of associations, to defend the principles of judicial independence.

Nevertheless, the IAJ believes that some of these principles could usefully be recast and clarified, including:

- the guarantees of irremovability;
- the training of judges;
- and the distribution of cases within the courts.

The IAJ further notes that some topics which are now at the centre of the concerns of judges do not appear in these principles. These include:

- the principles relating to the organization of justice and internal independence of the judiciary;
- the conditions necessary in order that justice may be rendered effectively;
- the guarantees on remuneration and retirement of judges;
- the creation of a bodies responsible for the recruitment, appointment, promotion and discipline of judges which are composed or constituted in a manner such as to secure their independence;
- the clarification of the ethical and deontological requirements placed on judges, in light of increased public debate and expectations.

As a regional association within the wider International Association of Judges, the European Association of Judges endorses the foregoing and therefore supports calls for the undertaking of a review to update the terms of the “Basic Principles on the Independence of the Judiciary which was adopted and confirmed in 1985.

The European Association of Judges accordingly urges the United Nations and its members’ governments to engage in such a review and, for its part, the European Association of Judges declares its readiness to contribute to the review.

Berlin, May 25th, 2018.