

Monitoring Procedure

REPORT (article 13.º, n.º 9 IAJ Statutes)

June 2016

I – Introduction

According to art. 13º, nº 7 of International of Judges Association (IAJ) Regulations, “every five years, and for first time in 2015, all the member associations have to deliver a summary report on their situation”. In order to analyse the reports, a commission established within the Central Council will monitor the situation of the national associations and must, at the end of its work, send a written report to the Presidency Committee (article 13º, nº 9).

The report is subsequently spread to all member associations.

The present report complies with this regulation and is composed by three parts (chapters).

The first one is to be known only by the members of IAJ, was elaborated only for internal purposes and tries to detail on the procedures that took place in order to accomplish the task taken by the commission; it gives also notice about the participation of the different national associations, particularizing those who have not responded to the questionnaire.

The second chapter will assess the data obtained in all the 63 answers received from associations worldwide providing a comprehensive and objective framework of the present situation of the members of IAJ, collecting different data from each national association to obtain a clearer picture about the dimension, characteristics and structure, not only of our members, but especially of IAJ as a whole.

Finally, a third chapter contemplates the questions related with the problems/challenges faced by each national association pointing out the major challenges for national judiciaries in view of facilitating future resolutions of IAJ about respective strategic plans and intended activities.

CHAPTER I

I.I Legal Background (IAJ Statutes and Regulations)

Article 6.º of our Statutes:

When a request is made, a member may be monitored and be required to submit a report on the situation of the judiciary in its country and the member’s compliance with the criteria set out in Article 4 (2) and (3).

Art. 13.º of IAJ’s Regulation:

Monitoring

- 1. At the request of the Presidency Committee, a member shall submit a report on the situation of the judiciary in its country and the member's compliance with the criteria set out in Article 4 (2) and (3) of the Constitution.*
- 2. The Presidency Committee may be seized with a request for a report concerning a member association. If this request is in writing, includes the grounds for the request and is signed by at least 33% of member associations, or if it arises from a resolution adopted by a Regional Group, the Presidency Committee shall accede to the request.*
- 3. The requested report shall include all information regarding the member's compliance with Article 4 (2) and (3) of the Constitution. It shall refer to steps taken by the association, if any, to promote the aims and objectives of the International Association of Judges and to defend the internationally recognized principles of an independent judiciary.*
- 4. The report shall be in a form approved by the Central Council and attached to this regulation.*
- 5. The report shall be submitted at least one month before the meeting of the Presidency Committee, that precedes the annual congress. It shall be distributed to all members.*
- 6. Failure to submit the report, without justification allows the Presidency Committee to proceed in the manner prescribed by Article 12 of the present Regulation.*
- 7. Every five years, and for first time in 2015, all the member associations have to deliver a summary report on their situation.*
- 8. The framework of this summary report is determined by the Central Council and annexed to the present regulations.*
- 9. To receive and analyze these reports, a commission is established within the Central Council. This commission, chaired by one of the Vice-president of IAJ appointed by the Presidency Committee consists of 2 representatives of every Regional Group elected within these Groups. At the end of its works, the commission sends a written report to the Presidency Committee. This report is spread to all the member associations.*

I.II – Internal Procedure

In 2015 for the first time in IAJ's history the monitoring procedure covering all IAJ-members took place.

The following procedures for this monitoring were approved:

- 1) A Monitoring Commission was put in place, composed of nine persons.

Each Regional Groups appointed two representatives in the Commission, while the Presidency Committee appointed one of the Vice-Presidents to chair the Commission.

- 2) The Commission established its own procedural rules.

3) The Commission took the task of receiving the reports from national association and to inform the PC if critical aspects were found.

4) Each national association wrote the respective report in any of the five official languages of the IAJ.

- 5) The national reports were submitted until December 31st, 2015.

6) The Commission produced the present report on the situation of IAJ members (i.e., not a report on each member) four weeks before the IAJ-Meeting 2016.

4. The composition of the Monitoring Procedure was the following one:

President: José Igreja Matos (Vice Presidente of IAJ)

Africa: Mr. Aidouni Djamel (Algeria) and Mr. Nazeem Joemath (SouthAfrica).

ANAO: Mr. Peter Hall (U.S.A) and Ms. Roslyn Atkinson (Australia).

Europe: Mr. Fausto Zuccarelli (Italy) and Mr. George Alampouras (Greece).

Ibero-America: Ms. Monica Bortoli and Mr. Leopoldo Llanos.

II – Participation of IAJ’s members

In 2015, 83 members composed IAJ (84 after the October meeting in Barcelona).

The Commission received 63 answers out of a total number of 83 members (75,90%).

The answering national associations are from the following countries:

ANAO: Australia, Canada, Japan, Mongolia, Taiwan and USA (6, corresponding to 54,54% - total members 11)

European Group: Albania, Armenia, Austria, Azerbaijan, Belgium, Bosnia-Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Finland, Germany, Georgia, Greece, Hungary, Iceland, Ireland, Israel, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, FRYMacedonia, Montenegro, Netherlands, Norway, Poland, Portugal, Serbia, Slovakia, Slovenia, Spain, Switzerland, Sweden, Turkey, Ukraine and United Kingdom (41, corresponding to 93,18% - total members 44)

Ibero American Group: Argentina, Brazil, Chile, Dominican Republic, Mexico, Porto Rico and Uruguay; also Portugal and Spain (9, corresponding to 52,94% - total members 17)

African Group: Algeria, Congo, Ivory Coast, Egypt, Mali, Morocco, Mozambique, Senegal and South Africa (9, corresponding to 56,25% - total members 16)

The associations that not answered were:

BENIN (Union Nationale des Magistrats du Bénin)

BERMUDA (Judges of Bermuda)

CAMEROON (Amicale des Magistrats Camerounais)

COLOMBIA (Corporacion de Jueces y Magistrados de Colombia)

COSTA RICA (Asociacion Costarricense de la Judicatura)

EL SALVADOR (Asociacion de Magistrados y Jueces de El Salvador)

GUATEMALA (Asociación de Jueces y Magistrados del Organismo Judicial de la Republica de Guatemala)

GUINEE (Association des Magistrats de Guinée)

IRAQ (Association of the Iraqi Judiciary)
KAZAKHSTAN (Union of Judges of the Republic of Kazakhstan)
LESOTHO (Judicial Officers Association of Lesotho)
MALTA (Assocjazzjoni ta' l-Imhallfin u tal-Magistrati ta' Malta)
MOLDOVA (Asociația Judecatorilor din Moldova)
NICARAGUA (Asociación de Jueces y Magistrados de Nicaragua)
NIGER (Syndicat Autonome des Magistrats du Niger)
PANAMA (Asociación Panameña de Magistrados e Jueces)
PARAGUAY (Asociación de Magistrados Judiciales)
PERU (Asociación Nacional de Magistrados)
PUERTO RICO (Asociación Puertorriqueña de la Judicatura)
ROMANIA (Association of Rumenian Judges)
TOGO (Association Professionnelle des Magistrats du Togo)
TUNISIA (Association des Magistrats Tunisiens)

It must be decided about further steps in this procedure; especially the solution to be followed regarding national associations that have not answered the questionnaire.

After a discussion within the Monitoring Commission it was decided to recommend to the Presidency Committee to delineate a strategy in order to obtain the answers without jeopardizing the membership of those associations, unless more evidences of ostensive disregard or non-compliance with the requisites defined in our Statutes are demonstrated.

CHAPTER TWO

The 63 questionnaires properly fulfilled allow us to collect a vast amount of facts and figures. This compilation of data will remain in IAJ's archives, under the supervision of our Secretariat and can be used whenever felt necessary by our competent bodies.

In any case, it was decided to engage a more in-depth treatment of some of the data, mainly those compiled in objective answers. This handling should be useful to better portray our institution, undoubtedly the only with a worldwide dimension regarding the associationism of judges.

This assessment included six different topics:

Status of National Associations; Representativeness of IAJ; Impact of National Associations of Judges in Judicial Councils; Budget of National Associations; Consultation by Executive and Legislative Powers of national associations and Assessment by international organizations of national judiciaries.

Therefore, the results are:

A) Status of National Associations

A.1 Formal or Informal Constitution.

Sixty-one declared to be a formal association; only one is an informal association and another is legally defined as a trade union.

A.2 Restrictions in national Associations activities.

There are practically no restrictions.

However in one case the right to strike is excluded and in another country there's a legal prohibition for judges to form trade unions (not associations); there is also one country where by law it's defined that only one judge's association can exist. Several countries explained that their associations must comply with a set of ethical rules.

A.3 Modifications in national Association's Statutes after IAJ's admission.

Only nine associations responded that their statutes changed after IAJ's admission; probably the actual number will be larger, since several of them have been members of IAJ's for decades. Obviously this continuous presence should impose almost inevitably a positive answer.

A.4 Presence of Regional Representatives in national associations.

There are thirty-three associations which have regional representatives in a percentage of 52,38%; a considerable proportion.

B) Representativeness of IAJ

B.1 - Number of judges that are members of national associations.

According to the answers provided, the responding associations have a total of 119.623 members. The existing judges in respective countries amount to 171.090.

It must be underlined that this data are not totally reliable, since some associations delivered only an approximate number and others encompass also members that are not judges (prosecutors, for instance).

B.2 - Proportion of judges represented in IAJ.

Even considering all the cautions about this data, the percentage of representativeness is clearly substantial: 69,91%.

B.3 - Other international associations whose members coincide with associations belonging to IAJ.

There are twenty members that declared to belong to other international organizations in a percentage of 31,74%.

Not even one of the eight specified institutions has a global geographical dimension that could be characterized as similar to IAJ. Most of them are regional associations like MEDEL (Magistrats Européens pour la Démocratie et les Libertés), mostly concentrated in Europe, Commonwealth Magistrates' and Judges Association or UIJLP ("União de Juizes de Língua Portuguesa"), for Portuguese-Speaking Countries, Baltic Association of Judges.

The others institutions are focused on specialized jurisdictions (administrative or labour judges), like for instance the Association of European Administrative Judges.

Status of National Associations	
Presence of Regional Representatives in national associations	52,38 %
Representation of IAJ	
Number of judges in respective countries	171.090
Number of judges that are members of national associations	119.623
Proportion of judges represented in IAJ	69,91 %

Other international associations which members coincide with associations belonging to IAJ	31,74 %
--	---------

C) Impact of National Associations of Judges in Judicial Councils

Seven associations have declared to have some kind of impact in the composition of Councils for the Judiciary.

The proportion is not significant (11,11%) although several countries, nine in total, don't have in their judicial system Judicial Council or similar organ.

D) Budget of National Associations

Adding all the national associations that have responded to the question about their own budget (only 48 associations in 63 answers in a percentage of 76,19%), we reach an impressive number in Euros. Thus, the global budget for these 48 associations is **12.027.937,00 Euros**.

The average figure is 250.582 Euros for each responding association – obviously it must be clearly underlined that national associations are very diverse in their structure and dimension.

E) Consultation by Executive and Legislative Powers of national associations

Judge's associations are much more consulted by Executive (37 affirmative answers) than by Legislative (24 positive answers). Consequently, the percentage is 58,73% for Government and 38,09% for Parliament.

F) Assessment by international organizations of national judiciaries

The assessments of judiciaries recently provided by international organizations were 31 (the number drops to 17 regarding only Human Rights institutions). The percentage is respectively of 49,20% and 26,98%.

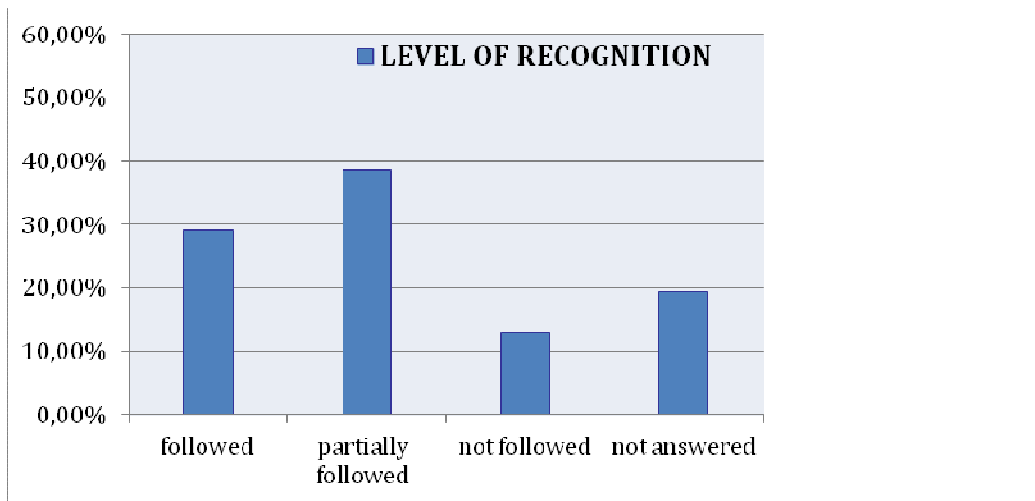
Impact on Judicial Councils	11,11 %
Budget of National Association: * Average for each responding association	12.027.937 Euros 250.582 Euros
Consultation by: * Government * Parliament	58,73 % 38,09 %

Assessment	* International Institutions	49,20 %
	* Human Rights Institutions	26,98 %

F.1 Level of recognition of recommendations issued by international organizations (in the cases such recommendations exists).

The numbers and percentages are as followed:

- 9 followed the recommendations (29,03%);
- 12 have partially followed the recommendations (38,70%);
- 4 have not followed the recommendations (12,90%);
- 6 have not answered to this question (19,35%).



CHAPTER THREE

In point 2 of the questionnaire there were two questions that allow us to have a concrete knowledge of the situation of the judiciary in each country.

The first one relates with the past although the more closest one:

“Has the situation regarding the judiciary improved, worsened or remained the same during the last 5 years?”

The other is directed to the future: *“What do you think are the greatest problems faced by our courts and their judges at this time?”*

Therefore, the proper assessment of the subsequent answers is a fertile ground to obtain a broader picture of judiciary in all those different countries and in each Regional Group.

The analysis of the information provided by the questionnaire allow us a better evaluation of the major challenges faced by judges internationally, focused on the promotion and consolidation of an independent judiciary. The graphics are presented globally and one for each Regional Group.

I) *“Has the situation regarding the judiciary improved, worsened or remained the same during the last 5 years?”*

Global Number of Effective Answers 63

23 Countries – Remained (36,50%);

23 Countries – Worsened (36,50%);

17 Countries – Improved (26,98%);

ANAO:

Number of Answers 5

2 Countries – Remained (40,00%);

3 Countries – Improved (60,00%);

EUROPE:

Number of Answers 41

18 Countries – Remained (43,90%);

18 Countries – Worsened (43,90%);

5 Countries – Improved (12,19%);

IBA:

Number of Answers 6 (excluded Spain and Portugal)

2 Countries – Remained (33,33%);

2 Countries – Worsened (33,33%);

2 Countries – Improved (33,33%);

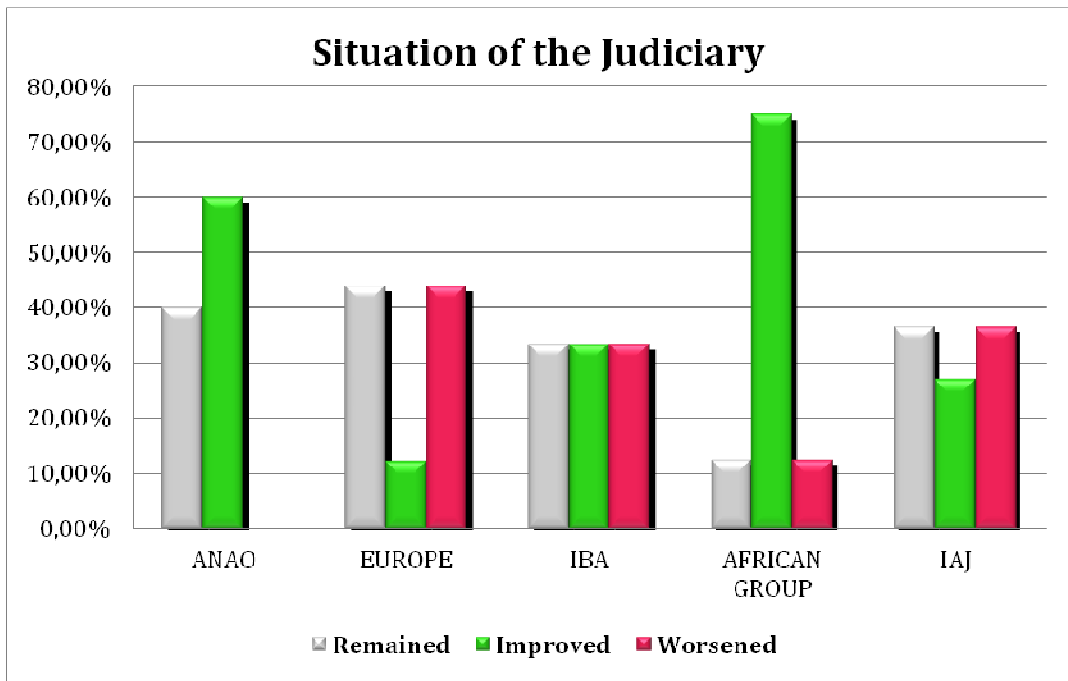
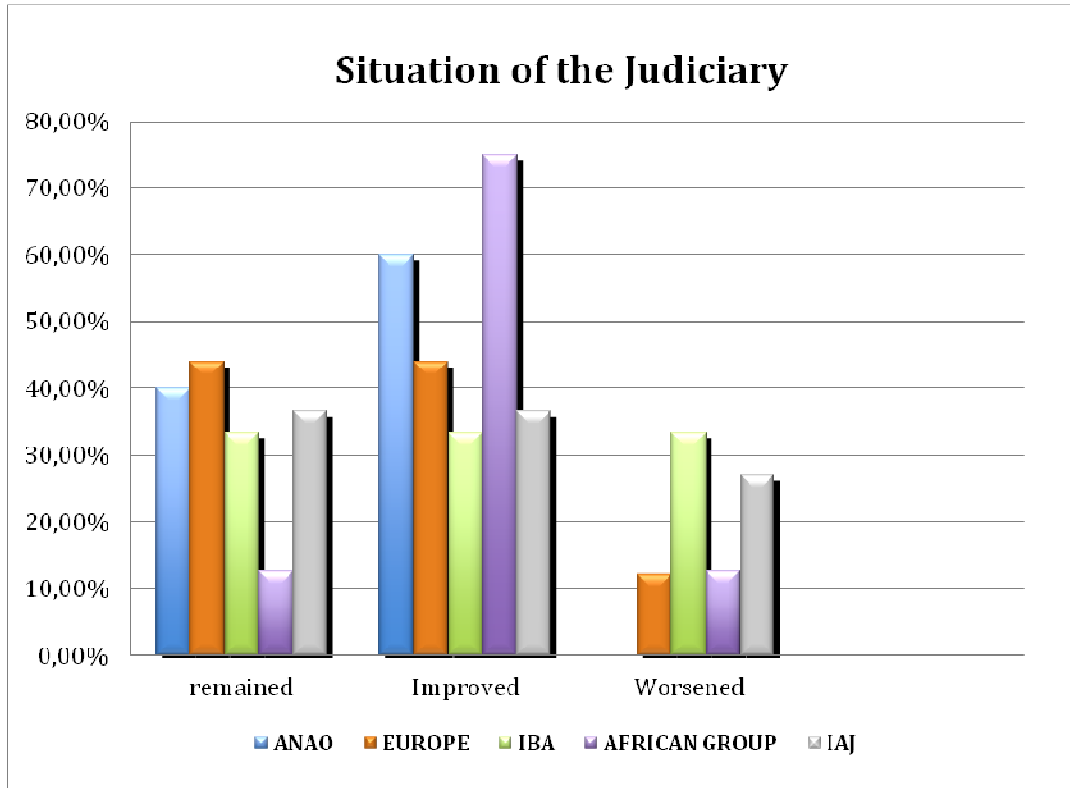
African Group (AG):

Number of Answers 8

1 Country – Remained (12,50%);

1 Country – Worsened (12,50%);

6 Countries – Improved (75,00%).



II) What do you think are the greatest problems faced by our courts and their judges at this time?"

European Association of Judges (EAJ)

Insufficient Budget for Judiciary: 18

Excessive Workload: 14

Work Conditions: 14

External Judicial Independence (Undue Pressures from politicians): 11.

Salaries and Pensions: 13

Internal Judicial Independence: 8

Lack of Confidence in the Judicial System (negative opinions on judges): 7

Management of Courts: 5

Security of Judges: 2

Communication with Civil Society (including media): 3

IBA (Ibero American Group)

Internal Judicial Independence: 3

Salaries: 1

Communication with Media and Civil Society: 2

AG (African Group)

Excessive workload: 7

Work Conditions: 6

Salaries: 3

External Judicial Independence: 2

Security of Judges: 1

ANAO

Insufficient budget for judiciary: 3

Communication with Civil Society (including media): 2

Work Conditions: 1

Internal Judicial independence: 1

IAJ – Main Challenges

Insufficient Budget for Judiciary: 21

Excessive Workload: 21

Work Conditions: 21

Remuneration (salaries and pensions): 17

External Judicial Independence (Undue Pressures from politicians): 13

Internal Judicial Independence: 12

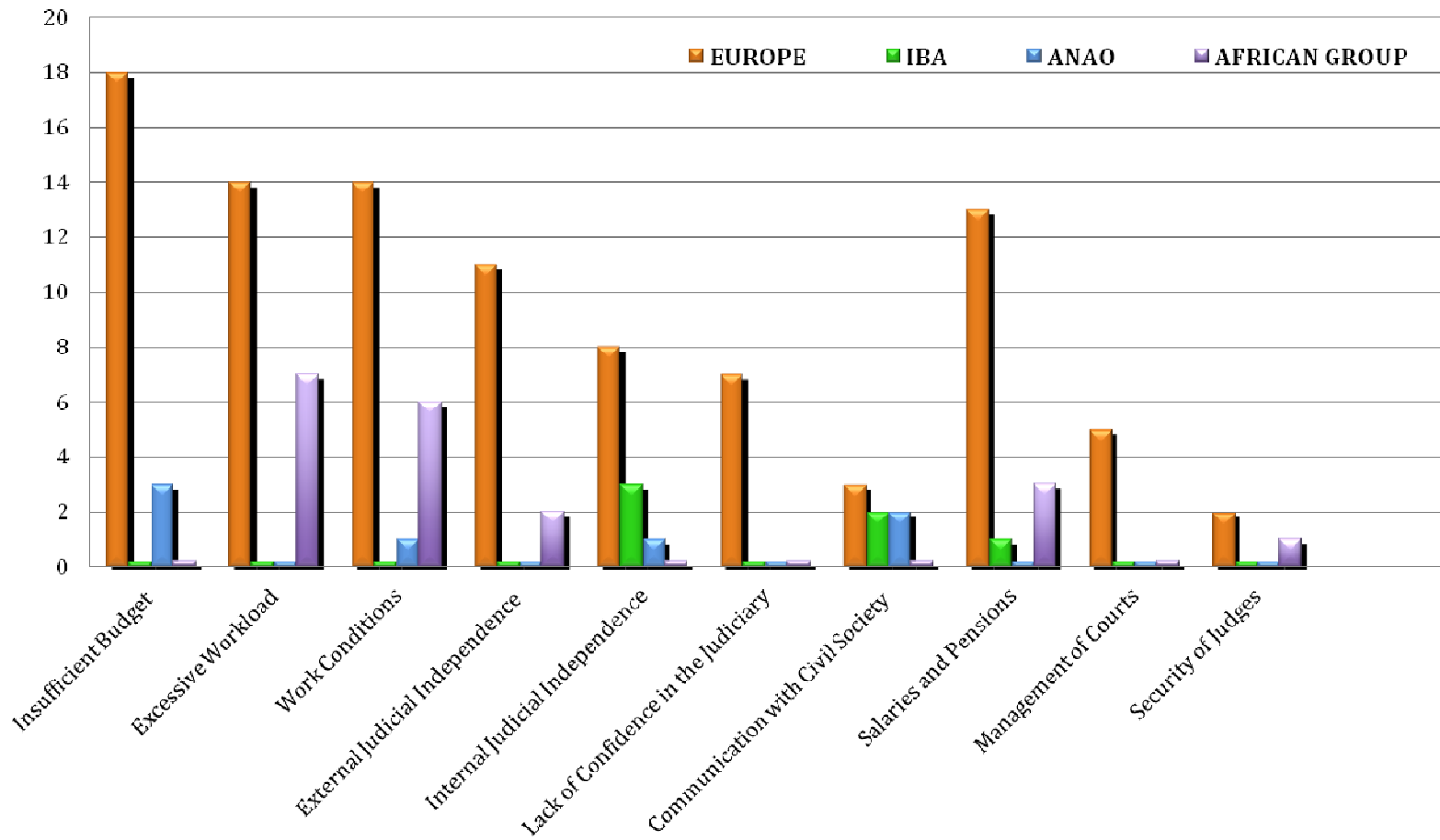
Lack of Confidence in the Judicial System (negative opinions on judges): 7

Communication with Civil Society (including media): 7

Management of Courts: 5

Security of Judges: 3

Problems in Judiciary



Annex:
Questionnaire approved by Central Council of International Association of Judges
(English; French and Spanish)

Form of Report

1 – Circumstances of the association

1(1) – Status of the association

Is your association a judges' association or is it an informal group of judges?

Are there any legal or other restrictions regarding the establishment and activities of judges' associations in your country?

If it is an association, what are its governing statutes and/or regulations?

Is the association a not-for-profit society/organization established by law? What is its legal status (Is it a private or a public society/organization)?

Has this status changed since becoming a member of the IAJ?

How are the leaders of the association selected? Are they elected by the members? Are they appointed? If yes, by whom and by what process?

How is the association organized? Is there a board of directors/association council? If yes, how are the members of the council appointed/elected? What powers does the council have?

Does the association have regional representatives? If yes, how are they appointed/elected?

-

1(2) - Representative nature of the association

How many judges are there in your country?

How many members does the association have? Has this number increased during the last five years?

Do other associations/organizations of judges exist?

If your country has a Judicial Council that oversees the judiciary, is the association involved in the appointment of their members? If so, in what way?

1(3) – Membership of association in international organizations

Is the member association a member of international organizations other than the IAJ? If yes, which one(s)? Since when ?

1(4) – Funding

What is the association's annual budget?

What are the association's funding sources: membership dues, subsidies, other funding sources?

What have been the principal expenses?

1(5) – Relations with public administration

Does the association meet regularly with representatives of the executive? In particular with the Minister of Justice and his/her representatives? Is the association consulted in advance about government reforms that affect the judiciary and the justice system?

Does the association meet regularly with representatives of the legislature? Is the association asked to provide its opinion on projects and bills that affect the judiciary and the justice system before they are examined by the parliament?

1(6) – Actions Undertaken

What were the major activities engaged in by the association in the previous five years (or, if the association has been a member of the IAJ for less than five years, since becoming a member)?

Has the association organized collective action (demonstrations, strikes...)?

Does the association have a media presence? Has the association published documents (books, reviews, communiques...)?

What were the impacts of these activities on the judicial power?

2 – The Situation of the judiciary / judges

Has the situation regarding the judiciary improved, worsened, or remained the same during the last 5 years?

Have reforms which regard to the status of judges and/or the independence of the judiciary been adopted during the last 5 years? If yes, briefly describe them.

What do you think are the greatest problems faced by your courts and their judges at this time?

Have international organizations (UN, Council of Europe, African Union, Organization of American States. etc.) checked the justice system and/or the judiciary in your country? If yes, please indicate which one(s) did so and provide references to reports filed.

Have human rights associations conducted investigations with respect to the judiciary and filed reports? If so, please indicate which one(s) did so and provide references to reports filed.

In both cases were recommendations made? Were they followed?

Rapport type

I – Situation de l'association

I-1 – Statut de l'association

Votre association, est-elle une association de magistrats, ou bien s'agit-il uniquement d'un regroupement informel de magistrats ?

Existe-t-il des restrictions légales ou sous toute autre forme à la constitution d'associations de juges ?

Si une association existe, bénéficie-t-elle de statuts ? L'association est elle une société / organisation non lucrative instituée par la Loi ? Est elle une société / organisation privée ou publique ?

Ce statut a-t-il changé depuis l'adhésion à l'UIM ?

Comment sont désignés les dirigeants de l'association ? Sont-ils élus par les adhérents ? Sont-ils nommés ? Si oui par qui et selon quelle procédure ?

Comment est organisée l'association ? Existe-t-il un conseil d'administration/conseil syndical/conseil associatif ? Si oui, comment les membres de ce conseil sont ils élus/nommés ? Quels sont les pouvoirs de ce conseil ?

Existe-t-il des représentants régionaux de l'association ? Si oui, comment sont ils nommés/désignés ?

I-2 – Représentativité de l'association

Combien de magistrats y a-t-il dans votre pays ?

Combien l'association compte-t-elle de membres ? L'association a-t-elle connu depuis son adhésion une évolution du nombre de ses adhérents ?

Existe-t-il d'autres associations/syndicats de magistrats ?

L'association compte-t-elle des élus dans les instances indépendantes qui sont en charge de la gestion des carrières des magistrats ? De la discipline des magistrats ?

I-3 – Appartenance de l'association à des organisations internationales

L'association membre est-elle membre d'autres organisations internationales que l'UIM ?

Si oui, laquelle (ou lesquelles) ? Depuis quand ?

I-4 – Financement

Quel est le budget annuel de l'association ?

Quels sont les moyens de financement de l'association : cotisations des adhérents, subventions, autres sources de financement ?

Quelles ont été les principales dépenses ?

I-5 – Relations avec les pouvoirs publics

L'association rencontre-t-elle régulièrement les représentants du pouvoir exécutif ? Plus particulièrement le Ministre de la Justice et ses collaborateurs ? L'association est-elle consultée par le gouvernement avant toute réforme concernant la magistrature et le système judiciaire ?

L'association rencontre-t-elle régulièrement les représentants du pouvoir législatif ? L'association est-elle appelée à donner son avis sur les projets et propositions de loi concernant la magistrature et le système judiciaire avant leur examen par le parlement ?

I-6 – Actions menées

Quelles ont été les principales actions menées au cours de l'année écoulée ? Dans les 5 dernières années ? Depuis l'adhésion ?

L'association a-t-elle organisé des actions collectives (manifestations, grèves ...) ?

L'association a-t-elle une présence sur le plan médiatique ? L'association a-t-elle publié des documents (livres, revues, communiqués ...) ?

Quelles ont été les conséquences de ces actions sur la situation du pouvoir judiciaire ?

-

II – Situation de la Justice et de la magistrature

La situation de la Justice, comment a-t-elle évolué au cours des dernières cinq années ? S'est-elle améliorée ? A-t-elle empiré ? Est-elle restée la même ?

Des réformes concernant le statut des magistrats et/ou l'indépendance de la magistrature ont-elles été adoptées ? Si oui, dites brièvement lesquelles.

Quels sont à votre avis les problèmes les plus importants auxquels vos juridictions et leurs magistrats doivent aujourd'hui faire face ?

Des organisations internationales (ONU, Conseil de l'Europe, Organisation de l'Unité Africaine, Organisation des Etats américains, etc.) ont-elles contrôlé la situation de la Justice dans votre pays ? Si oui, bien vouloir indiquer lesquelles et fournir les références des rapports déposés.

Les associations de défense des droits de l'homme ont-elles effectué des enquêtes et déposé des rapports. Si oui, bien vouloir indiquer lesquelles et fournir les références des rapports déposés.

Dans les deux cas des recommandations ont-elles été émises ? Ont-elles été suivies ?

CUESTIONARIO PARA EL MONITOREO PERMANENTE DE LAS ASOCIACIONES (Artículo 6 del Estatuto y 13 del Reglamento Interno)

I – Situación de la asociación

Procedimiento

I-1 –Estado de la asociación

¿Existe una asociación de Magistrados? Se trata únicamente de un agrupamiento informal de jueces y/o magistrados?

¿Existen restricciones legales o de cualquier otra forma para la constitución de asociaciones de jueces?

Si existe una asociación, ¿ella cuenta con s estatutos?

¿La asociación es una sociedad/organización sin fines de lucro instituida por la Ley? ¿Es una sociedad / organización privada o pública?

¿El estatuto se modificada después de la adhesión a la UIM?

¿Cómo son designados los dirigentes de la asociación? ¿Son elegidos por los adherentes? ¿Son ellos nombrados? En caso afirmativo, por quien según qué procedimiento?

¿Cómo está organizada la asociación? Existe un consejo de administración/ consejo sindical/ consejo asociativo? ¿Cuáles son los poderes de ese consejo?

Existen representantes regionales de la asociación? En caso afirmativo, ¿cómo son nombrados o designados?

I-2 – Representatividad de la asociación

¿Con cuántos miembros cuenta la asociación? ¿La asociación tuvo después de la adhesión una evolución en el número de adherentes?

¿Existen otras asociaciones/ sindicatos de magistrados?

En la hipótesis donde las elecciones profesionales fueran organizadas en el país en cuestión, proporcionar los elementos expresados en cifras que demuestren la representatividad.

¿La asociación cuenta con órganos electos en instancias independientes que se encargan de la gestión de las carreras de los jueces? ¿de la disciplina de los jueces?

I-3 – Pertenencia de la asociación a organizaciones internacionales

¿La asociación miembro es también miembro de otras organizaciones internacionales, además de la UIM?

En caso afirmativo, ¿cuáles son?

¿Esta otra pertenencia es posterior o anterior a la adhesión a la UIM?

I-4 – Financiamiento

¿Cuál es el presupuesto anual de la asociación?

¿Cuáles son los medios de financiamiento de la asociación: cuotas de los afiliados, subvenciones, otras fuentes de financiamiento?

¿Cuáles han sido los principales gastos?

Sírvase agregar al presente informe una copia del último presupuesto de la asociación.

I-5 – Relaciones con los poderes públicos

¿La asociación tiene encuentros regulares con los representantes del poder ejecutivo? Particularmente, ¿con el Ministro de Justicia y sus colaboradores? ¿La asociación es consultada antes de toda reforma por parte del gobierno?

¿La asociación tiene encuentros regulares con los representantes del poder legislativo?

¿La asociación es llamada a dar sus opiniones sobre los proyectos y propuestas de ley ante de su examen por el parlamento?

I-6 – Acciones

¿Cuáles han sido las principales acciones que se llevaron adelante en el año pasado? ¿En los últimos 5 años? ¿Desde la adhesión?

¿La asociación ha organizado acciones colectivas (manifestaciones, huelgas)?

¿La asociación tiene presencia en el plano mediático? ¿La asociación ha publicado documentos (libros, revistas, comunicados...)?

¿Las eventuales acciones realizadas han tenido consecuencias positivas sobre la situación del poder judicial?

II – Situación de la Justicia y de la magistratura

II-1 – Evolución general después de la adhesión

¿La situación de la Justicia ha evolucionado después de la adhesión de la asociación a la UIM?

¿Se adoptaron reformas? En caso afirmativo, ¿cuáles?

¿Ellas son positivas/ regresivas con relación a la situación existente en el momento de la adhesión a la UIM?

¿Las organizaciones internacionales (ONU, Consejo de Europa, Organización de la Unidad Africana, Organización de los Estados Americanos...) han controlada la situación de la Justicia en su país? En caso afirmativo, sírvase indicar cuales y proporcionar las referencia de los informes correspondientes.

¿Las asociaciones de defensa de los derechos humanos han efectuado encuestas y presentado sus informes?

¿En los dos casos se formularon recomendaciones? ¿Se han seguido?

II-2 – Evolución de la Justicia

Desde la adhesión a la UIM la situación con relación a:

- la administración y a los recursos de la Justicia
- con la autoridad de la justicia
- la confianza de la opinión pública

¿Se ha modificado? ¿Esos cambios son positivos para los magistrados o negativos?

II-3 – Evolución de la magistratura:

Desde la adhesión a la UIM, la situación con relación a:

- los procesos de designación de los magistrados y la duración de sus mandatos
- los salarios y primas de los magistrados
- la designación de los casos
- a los criterios o los procedimientos en materia de promoción de los magistrados -

la disciplina de los magistrados

- a la evaluación de los magistrados
- a la formación de los magistrados

¿La situación se ha modificado? ¿Esos cambios fueron positivos para los magistrados o negativos?

José Igreja Matos
(rapporteur)