



**AFRICAN REGIONAL GROUP  
INTERNATIONALE ASSOCIATION OF JUDGES**

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**Summary Report of the Meeting of the  
AFRICAN REGIONAL GROUP**

**Yerevan (Armenia), 7th September 2008**

The meeting was chaired by Mrs. Fatoumata Diakité, Vice-President of the IAJ, and President of the African Group, with the participation of the President of the IAJ, Mrs. Maja Tratnik, and of the Deputy Secretary-General of the IAJ, Mr. Gargiulo, as well as following delegates of member Associations of the International Association of the Judges and of the African Regional Group

Algeria (observer)	Mr. Aïtdjouni Djamal; Mr. Hineur Camel Ahmed;
Benin (observer)	Mr. Yacomba Soumana;
Ivory Coast	Mr. Momble Messey ; Mr. Kouassi Brou Bertin ; Mrs. Kouassi Affoué Marcelle ; Mr. Prégnon Lognon Boniface ; Mrs. Coulibaly Olga; Mrs. Amon Laurence; Mrs. Zakpa A. Cécile ;
Mali	Mr. Issa Traoré ; Mr. Ibrahima Berté;
Niger	M. Yacomba Soumana;
South Africa	Mrs. Judy Von Schalkwyk; Mr. Cagney John Musi
Togo	Mrs. Traoré Massafola ; Mr. Tékoé Théodore; Mr. Assouma Aboudou; Mr. Adnen Heni; Mr. Tarek Brahem ; Mrs Ines Maatar ; Mrs. Khadija
Tunisia	Mzoughi;

Mrs. Diakité opened the meeting at 10:30, first of all by thanking all the delegates in attendance as well as the observers. She thanked also the association of Morocco for the perfect organization of the meeting of Casablanca. Mrs. Diakité then passed to the examination of the points on the agenda of the meeting.

1. Approval of the minutes of the Group's meeting in Casablanca.

Mrs. Diakité asked whether the delegates in attendance had remarks and observations on the minutes of the last meeting, which had been distributed by the Secretariat. No remarks were submitted to the Presidency, or to the Secretariat. In the absence of any remarks the minutes were unanimously approved.

## 2. Report on the activities of the President of the Group;

### a – General information;

With regard to the general information, the President recalled that after the meeting of Casablanca she devoted her efforts to the work within the ad hoc Committee, created for the recovery of the contributions of member Associations.

### b) *Ad hoc* Committee on contributions (“Subscription Committee”);

In this framework Mrs. Diakité wrote systematically to all the Associations which were in arrears with their payments. The most difficult situations concerned the Associations of Burkina Faso, Egypt and Tanzania. Only the association of Burkina Faso answered her requests, by a letter of July 11, 2008. This association wrote in order to show interest in keeping its status of IAJ member, by stressing that economic difficulties prevented the Association from paying its contributions and from taking part in the meetings. Mrs. Diakité read out the letter. The President specified that she wrote to all the available addresses of the associations of Egypt and Tanzania, without having any answer.

The President recalled, then, the interpretation of the Presidency Committee concerning the articles of the Statutes as regards the delay in the payment of the contributions. As for payments in arrears “of over one year”, the Presidency Committee, taking the current year as an example, decided that member associations could be considered in the situation described by Para. 8 of article 4, if, before the start of the first session of the first meeting of the Central Council in Yerevan, they did not pay their fees in full for the years 2007 and 2008. The Presidency Committee decided that same interpretation should apply to the provisions of Article 4, Para. 9, which referred to payments “in arrears of over three years”. Therefore associations which will not have paid their fees for the years 2005, 2006, 2007 and 2008 before the beginning of the first session of the first meeting of the Central Council in Yerevan will be considered in the situation that could lead to the loss of their status of IAJ member. The President stressed that this provisional interpretation would be submitted to the approval of the Central Council, as the only body entitled to provide for a binding interpretation of the statutes. Mrs. Diakité specified that the ad hoc Committee wanted to suggest that associations, which had financial problems and which expressed their interest for keeping their membership in the IAJ, could take advantage of a delay given by the IAJ.

### c – Contacts with the African Group of the International Union of Latin Notariat;

Mrs. Diakité pointed out that while she was in Casablanca for the meeting of the African Group, she had met the President of the African Group of the International Union of Latin Notariat, who expressed the intention of its organization to co-operate with the African Group of the International Association of Judges. After this meeting, this notary sent her a general agreement, signed in 1994, by the IAJ with the International Union of Latin Notariat. The Secretary General, Mr. Mura had confirmed that this document was authentic, but that it had not given place to particular initiatives between the two organisations. The President added she had obtained the agreement of the Presidency Committee to pursue such contacts with this organisation, in the framework of the general agreement, in order to implement the evolution of law and of the relationship between the two professions.

Mr. Brahém, President of Tunisian Association, expressed, first of all, his concern for the situation of the Group, taking into account that there were three African countries, which were in

arrears more than three years with the payment of their contributions; furthermore, two African Associations, Cameroon and Senegal, were in arrears more than one year.

With regard to the proposal concerning the co-operation with the International Union of Latin Notariat, he recalled that in June there had been a Mediterranean congress in Tunisia, with the participation of the judges and the notaries from Morocco, Algeria, Libya and also France. He stressed that it was a very positive experience of co-operation.

Then, Mr. Brahem pointed out that the Association of Tunisia took care of the personal situation of the former Vice-president of the IAJ, Mr. Mansour Sy, from Senegal, who had experienced health problems and who spent some time in Tunisia for health cares. The Tunisian President wished that this spirit of solidarity could extend to all the members of the IAJ.

Mrs. Diakité reassured the representative of Tunisia, by stressing that a worrying situation was referred only to the associations of Burkina Faso, Egypt and Tanzania. She recalled to have written to the associations of Senegal and Cameroon. The association of Senegal sent a letter, by informing that there had been the change of the steering committee, after the elections, which took place one month before, and the new executive committee did not have enough time to organise the travel to Yerevan. She specified that she will contact the association to explain the situation, but she hoped that the new steering committee will settle the debt.

Concerning Cameroon, Mrs. Diakité announced that she will continue to make all efforts to contact the members of this association, who were very often engaged in travels or in training programs.

Mrs. Diakité thanked then the President of the IAJ Maja Tratnik and the Secretary General Mr. Mura of their presence and their constant support to the African Group, giving them the floor.

The President of the IAJ declared to be delighted by the reception she had been granted in the African family. She wished good work to the Group.

Mrs. Diakité took profit from the presence of Mrs. Tratnik to speak about the letter addressed by Mr. Sy to the IAJ. Mr. Sy stated that, having had an health problem, he discovered to have many brothers within the IAJ. The Association of Senegal helped him to leave for Tunisia. Mr. Tarek Bennour and the Tunisian Association took care of him and obtained the intervention of the President of Tunisia in favour of the Senegalese judge. Mr. Sy stressed that thanks to the IAJ, he had been treated as in a real family.

Mrs. Diakité, on behalf of the Group, thanked the Tunisian association for its spirit of solidarity.

Mr. Mura welcomed the members of the African Group as well as the observers. He stressed that the personal relations between the judges were very important and that they also represented one of the goals of the IAJ.

Mr. Assouma reiterated his thanks to the Tunisian Association. With regard to the problem of the contributions, he invited the President to fight in favour of Burkina Faso, Cameroon and Senegal. As regards Tanzania and Egypt, he stressed that these associations did not show their will to take part in the IAJ, and that the strict application of the Statutes could cause a positive reaction in these countries.

Mrs. Zapka, treasurer of the UNAMACI, invited the delegates to consider the financial problems of the African countries. Apart from the problem of the contributions, the number of African associations which took part in the meetings was decreasing because of the increases of the expenses inherent to the participation of the delegates in the various congresses.

Mrs. Diakité pointed out that this question always recurred during the meetings of the Central Council and of the Presidency Committee. She stressed that there were countries of South America and of Europe which had the same financial problems. The President also specified that the organisation of the meetings was becoming more and more expensive. The current system of organization of the congresses dated back to the meeting in Uruguay, country which had agreed to organize the annual meeting, after the failure of the candidature of Morocco. The President pointed out that, for the year 2009, there was only the candidature of Morocco.

### 3. Information on the budget of the Group;

Mrs. Diakité informed the assembly on the financial situation of the African Group. She stressed the importance of transparency in the management of the funds which are at the disposal of the Group. She added on this subject that each year the Secretariat General puts at the disposal of the Group the sum of 3,000.00 euros. She recalled that the Presidency Committee authorized the Vice-presidents, who are Presidents of the Regional Groups, to put at the charge of the budget of each Group the travelling expenses for their participation in the meetings of the Presidency Committee in Rome. For this reason the budget provided the refunding of the expenses concerning her travel to Rome, in April, to take part in the Presidency Committee. The President had circulate among the delegates a document on this subject prepared by the Secretariat General, from which resulted the availability at September 3, 2008 of 8,070.08 euros.

The President informed then that there was a certain number of associations of the Group which were in arrears with the payment of their contributions. This situation was in many cases connected to temporary financial problems of the Associations. The President pointed out that Cameroon and Senegal did not pay their contributions for the years 2007 and 2008 and they would not be able to vote nor to give proxies for the vote in the Central Council. The arrears in the payment of the contributions of Burkina Faso, Egypt and Tanzania could bring about the loss of their membership in the IAJ.

### 4) Situation of member associations of the Group;

The President invited all the delegates to take the floor, in order to specify if there were changes compared to the situation presented to Casablanca.

The representative of Togo declared that there was nothing to emphasize after Casablanca.

The President of Tunisian Association pointed out that the ordinary congress of the association and the elections of the steering committee will take place on December 21. He reiterated the invitation to the President to attend the meeting. In a few weeks he would give further details on the stay and on the events envisaged.

He added that a very important event for the justice in Tunisia was represented by the creation of a new Tribunal of first instance in the three most important cities of the country, in order to relieve the congestion of the work of the colleagues.

He expressed also his support to the candidatures for membership of Benin and Algeria, so that the Group could be strengthened.

The President of the Association of South Africa affirmed that there were no comments to make after Casablanca.

A representative of Mali said that there were no special problems as regards his country.

The representative of Niger took the floor to say that there were no particular problems. He stressed that the financial problems of associations of Africa had an influence on the participation

in the meetings and on the number of the delegates. It was a crucial question and he invited to take provisions in this matter.

A representative of Tunisia proposed to envisage the possibility for the associations of the Group to help those which had financial problems and also the possibility of cancelling the debt concerning the contributions or of obtaining a delay.

Mr. Assouma pointed out that the solution consisting in cancelling the debt did not respect the provisions of the Statutes. He proposed that the hosting association could propose better conditions of organisation and reception of delegates, according to the system followed until 2005.

A delegate of Algeria thanked all the colleagues of the Group for their support to the candidature of Algeria. He thanked also Mrs. Diakité for the support which she always gave to her association. He announced that, on the internal plan, the association had obtained a new seat, equipped with all the comforts. He also underlined that the Association of Algeria, which consisted of many members, had a good financial situation.

The President of Algerian Association added that the Association had obtained by the Government the covering of the price of the rent paid by each judge for his/her home. On the penal level, dealing with the fight against organised crime, the creation of specialized groups of judges had to be underlined. Possibly in the future new specialized groups will be set up.

The representative of Benin thanked the President for the support she had always given to his Association and Mr. Assouma for the remarkable work made as Rapporteur. He asked also the support of the Group within the Central Council.

Mrs. Diakité expressed her congratulations to all the associations, which were directed by very wise steering committees. With regard to the associations of Benin and Algeria, she confirmed that the procedure was followed with diligence, but she invited all the delegates to support the candidatures during the session of the Central Council.

Mrs. Diakité informed that the association of Congo had presented an application for membership in the IAJ. As one of the appointed rapporteurs could not travel to that country, the President, in order to accelerate the procedure, proposed to the Presidency Committee to designate as new rapporteur Mrs. Zapka. She wrote the report, which was adopted by the Presidency Committee. The application of Congo should be examined during the meeting of the Central Council. The President said to have been surprised, when the colleague of Congo told her that he could not come to Yerevan, because many issues had still to be settled on the internal plan.

With regard to Guinea, the appointed Rapporteur, Mr. Touré Fodié from Mali, had moved to Guinea since May. The President said that she didn't know if he had transmitted his report to the Secretary General.

Concerning Gabon, the first rapporteur, Michel Mahoué of Cameroon, who could not visit Gabon, was replaced by Mrs. Mountgui, who, in her turn, was substituted for the same reason. Mrs. Diakité, following the request of the judges of Gabon, asked for the designation of new rapporteurs. The Presidency Committee appointed Mr. Denecker from Belgium and Mr. Saadou Alaoua from Niger. Mr. Denecker proposed the date of July, 20 to the judges of Gabon, to travel to Libreville, but the colleagues did not answer. Mrs. Diakité sent an e-mail, to no avail. The President informed the delegates that Congo Brazzaville had requested information about the application for membership.

The President stressed that Congo (Democratic Republic of Congo) should be admitted as extraordinary member. This association will have time to show that it is ready to belong to the IAJ. Mrs. Diakité added that Congo was in a very difficult situation, because there was a general strike of the workers including the judges for salary demands.

#### 5. Candidatures to organize next meetings of the Group:

Mrs. Diakit  asked whether there were candidatures for the organisation of the meeting of the Group in 2009. She recalled that Algeria had expressed its availability to organize this meeting. The President of Algerian association confirmed that he had presented the request to the National Council of the Association, which authorized the meeting.

#### 6 Miscellanea:

Mrs. Diakit  stressed that this year the elections of the Vice-Presidents will take place and, among them, of the First Vice-President. The question was to know if the Group wanted that a representative of Africa could present his candidature to the post of First Vice-President or if the Group wanted to support a candidate of another Group. A short discussion took place, during which all the delegates agreed to support the candidature of Mrs. Diakit  to the post of First Vice-President, taking into account her qualities and her work to strengthen the African Group.

The session was closed at 1 p.m.

The Deputy Secretary General  
Raffaele Gargiulo

The President  
Fatoumata Diakit 