



INTERNATIONAL ASSOCIATION OF JUDGES
UNION INTERNATIONALE DES MAGISTRATS
UNIÓN INTERNACIONAL DE MAGISTRADOS
INTERNATIONALE VEREINIGUNG DER RICHTER
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INTERNATIONAL ASSOCIATION OF JUDGES
Minutes of the meetings of the Central Council
San Juan (Porto Rico), 13-16 October 1997

Session of October 13

Present: Mr. Voss and Mr. Woratsch, Honorary Presidents; the President, Mr. Rodriguez Arribas; the First Vice-President Mrs. Girard-Thuilier; the Vice-Presidents Mr. Bennour, Mr. Calandra, Mr. Broekhoven, Mrs. Mailhot, Mr. Markel; the Secretary General, Mr. Bonomo, and the Deputy Secretaries General, Mr. Meriggiola, Mr. Oberto and the assistants to the Secretary general Mr. D'Agostino e Mr. Gargiulo.

The following delegates represented their respective national associations:

ARGENTINA	Mr Dugo and Mrs Maffei de Borghi
AUSTRALIA	Mr Teague
AUSTRIA	Mr Woratsch
BRAZIL	Mr Beneti and Mrs Castro Neves
CANADA	Mr Kroft and Mr O'Neill
COSTA RICA	Mr Corrales Valverde and Mr Lopez Mc Adam
CZECH REPUBLIC	Mr Vyklicky
CHILE	Mr Fuenza Lida and Mrs Osorio Guzman
DENMARK	Mr Hermann and Mr Schiøler
ESTONIA	Mr Jöks
FINLAND	Mr Aarola and Mr Kiuru
FRANCE	Mr Lernout and Mr Riolacci
F.Y.R.O.M.	Mrs Tsatsa-Nikolovska
GERMANY	Mr Henning
GREECE	Mr Sergakis
HUNGARY	Mr Woratsch (delegated)
ICELAND	Mr Gislason and Mrs Jonsson
IRELAND	Mr Keane and Mr McCracken
ISRAEL	Mr Gillor and Mr Lindenstrauss
ITALY	Mr Cicala
IVORY COAST	Mrs Diakite et Mr Doueu
JAPAN	Mr Junji and Mr Maki
LIECHTENSTEIN	Mr Mislik
LUXEMBOURG	Mr Gehelen and Mr Santer
MOROCCO	Mr Daoudi
NETHERLANDS	Mr Holthuis and Mr Nyenhof
NORWAY	Mr Eidesen and Mrs Smukkestad
PARAGUAY	Mr Luciano Marcos and Mrs Nuñez Gonzalez

PERU	Mr Garcia Villena
PORTO RICO	Mrs de Oronoz and Mrs Fiol Matta
PORTUGAL	Mr Reis Figueira
REP. OF CHINA (Taiwan)	Mr Shen
RUMANIA	Mrs Costiniu and Mr Bruder
SENEGAL	Mr Dianko and Mr Sy
SLOVAKIA	Mrs Brunowska and Mr Majchrak
SLOVENIA	Mr Zalar
SPAIN	Mrs Atienza and Mr Bento Company
SWEDEN	Mr Carrick and Mr Francke
SWITZERLAND	Mr Gass and Mr Zappelli
TUNISIA	Mr Ben Ismail and Mr Ben Hassine
UNITED KINGDOM	Sir Nicholas Phillips and Mr Allan
URUGUAY	Mr Balcaldi and Mrs Venturini

Mr Britt (U.S. Federal Judges' Association), Mr Aldayuz Duran (Bolivia) Mr Valancius (Lithuania), Mr Mahouve (Cameroon) and Mr Suarez Niño (Colombia) were present as observers.

After the official inauguration in the presence of the Governor of Puerto Rico, Mr. Pedro Rosselló, of the President of the Supreme Court of Puerto Rico, Mr Andreu Garcia and of the President of The Puerto Rican Association of Judges, Mr Mercado Ramos, the President Mr Arribas opened the session at 10.30 a.m. by welcoming all those present. He expressed the deepest gratitude of the IAJ to the Puerto Rican Judges Association for the perfect organisation of the meeting and their generous hospitality. He informed the assembly that the Honorary President Mr Abravanel - that he thanked for the work done, also in relation to the Foundation "Justice in the World"- could not be present, but that he wished the meeting of the Central Council great success. Then the President passed on to the items listed on the agenda.

1. Appointment of auditors to examine the accounts and to report.

The President asked the assembly if there were delegates, who wanted to be appointed as auditor of the accounts. Mrs Osorio Guzman (Chile) and Mr Daoudi (Morocco) stood as volunteers. The assembly appointed Mrs Osorio Guzman and Mr Daoudi as auditors to examine the accounts and to report to the Central Council.

2. Approval of the minutes of the meeting held in Amsterdam.

The President asked the members of the Council to submit their remarks, if any, about the minutes sent by the Secretariat General to each member association.

Having ascertained that nobody had any amendment to make, he declared the minutes approved.

3. Report of the President.

The President reported shortly on his activities in the last year, saying that after the meeting in Amsterdam, the Presidency Committee was held in Madrid on December 8, 1996, with the aim to adopt decisions concerning the creation of the Foundation "Justice in the World", in accordance with the resolution adopted by the Central Council in Amsterdam. The regulations and the Statute of the foundation were then approved and the Foundation could therefore be

created the following day. In January 1997, at the invitation of the Israel Association of judges, he went to Israel with the Honorary Presidents, Mr Woss and Mr Woratsch; he was accompanied by the Vice-President Mrs Girard- Thuilier, by the Vice Presidents Mr Broekhoven and Mr Markel and by the Secretary General Mr Bonomo. The Vice- Presidents Mr Bennour and Mrs. Mailhot could not be present. The President was also accompanied the Spanish judge Mr Garcia Castellon.

During the visit Mr Rodriguez Arribas had some meetings with the Minister of Justice, the President of the Supreme Court, several judges of that country and he was officially received in the Parliament of Israel. The subject of these conversations regarded different problems, and notably the question of the election of the chiefs of jurisdictions. The meetings were held in Jerusalem, Nazareth, Haifa, Tel Aviv.

In March the President was in Milan for the meeting of the European Association. From 14 to 15 March, the President attended the meeting of the Ibero-American Group held in Foz do Iguaçu (Brazil). In April he took part in the meeting in which of the Steering Committee of the Foundation "Justice in the World" was established.

From 10 to 14 May 1997 the President attended the 4th National Conference of the Association of the Federal Judges of the U.S.A. in Washington. He was accompanied by the Vice-President, Mrs. Mailhot, and by the Secretary General, Mr Bonomo. During this conference he had many meetings with American colleagues, with the President of the Supreme Court of the United States, the Attorney General, the Director of the F.B.I. and many American professors. On 14 May, he was received in the White House by the President of the United States, Bill Clinton, to whom he illustrated the activity carried out by the IAJ in the field of independence of the Judicial power and of the defence of human rights. President Clinton expressed his great interest during his discussion with President Rodriguez Arribas, whom he also mentioned during his speech to the participants in the Congress.

On 16 May 1997, accompanied by the Secretary General, Mr Bonomo, he went to the United Nations in New York, invited by our Permanent Representative, the judge Edward D. Re, who offered an official lunch to which also the Vice-Secretary General of the U.N.O., Mr Alvaro de Soto and the Permanent Representatives of Spain, Italy and the Holy See to the United Nations participated. He had an interesting conversation with Mr de Soto, and he stressed the necessity of close co-operation with the United Nations. The President also said that the IAJ Presidency Committee was studying quicker means of exchanging information with the U.N.. During May 1997, he also participated in the meeting of the Presidency Committee in Rome.

In June he attended an International Conference of the Superior Councils of the Judiciary of Central and Eastern European Countries in Poland. Mr Bonomo was one of the rapporteurs. The Honorary President, Mr Woratsch, and the Vice-President, Mr Markel, also attended the conference. The conference dealt with the problems concerning the creation and organisation of Superior Councils of the Judiciary in the countries belonging to the former Soviet Union and, in general, in Central and Eastern European countries. He chaired a session of this conference concerning the problems of the recruitment and of the appointment of judges; on this occasion he gave a contribution based on documents of the I.A.J. and also on the Declaration on Superior Councils of the Judiciary prepared by the Ibero-American Working Group, as well as on the Statute of the Judge in Europe, elaborated by the European Association.

4. Report of the Secretary General.

Mr Bonomo said that he had just distributed the financial report in French and English. He also said that this document could not be distributed before, because according to the Statute, it

could be written only shortly before the meeting of the Central Council. Mr Bonomo added that the figures were also expressed in dollars and he explained the contents of the document distributed, composed of two pages.

He added that the results of these accounts, which covered the period 22 August 1996 to 16 September 1997, led to the following conclusions.

a) During this period the total amount of income was 56,330,535 Italian lire - equivalent to 32,448 US \$ - and 19,797.66 German Marks (of which 9,202,275 lire and 483.30 marks representing overdue contributions paid for the preceding years, 44,544,767 lire and 18,877.74 DM representing contributions paid for the current year, 2,573,493 lire and 436.62 DM representing interest paid by the bank during the financial year. In the previous year (from 10 August 1995 to 22 August 1996) the total amount of the income was 64,283,559 lire - equivalent to 37,029 US \$ - and 11,852.71 DM (9,189,765 lire and 2,843.73 DM representing overdue contributions paid for the preceding years, 52,458,328 lire and 8,655.25 DM representing contributions paid for the year 1996, 2,635,466 lire and 353.73 DM representing interest paid by the bank). Mr Bonomo said that it had to be considered that a part of these sums were not at the disposal of the IAJ since they belonged to the Regional Groups.

b) Concerning the unpaid contributions, it should be taken into account that at the date of the bank statement (September 16, 1997) no contributions for 1997 had been received from the following countries: Canada, Chile (which communicated that the payment would be made in Puerto Rico), Costa Rica, Malta, Senegal. No contributions for 1996 and 1997 had been received from the Association of Rumania. No contributions for 1995, 1996 and 1997 had been received from the Associations of Hungary, Paraguay, Peru and Venezuela. The Association of Greece paid its 1997 contribution after the closing of the accounts. The Associations of Canada and Hungary have communicated that bank instructions for the payment of the annual contribution had already been given. The Association of Romania communicated at the meeting that it was about to pay its contribution for the the year 1996.

Mr Bonomo said that another document, in English and French, was being distributed, concerning the expenses of the previous year, which were presented in a synthetic way according to the points of the budget.

4 bis The situation of the Judicial power in Colombia

The President said that a point 4 bis had to be added to the agenda in order to allow the colleague Mr Soarez Niño to illustrate the situation of the Judicial power in Colombia.

The Colombian colleague denounced the very serious situation of the judiciary in that country, which he defined as the most violent place on the planet. He mentioned that since 1993 30,000 people had been killed every year as a consequence of armed conflicts. During fifteen years 388 operators in the field of justice had been murdered. Every month an average of two judges were murdered; 11 colleagues went into exile to save their own lives. Since June, even he himself, President of the Association of Judges of his country, had had to transfer to Spain because of threats to his life. He recalled the massacres carried out by the Government during which several colleagues were murdered. More recently, eleven judicial operators were murdered by paramilitary groups involved in the drug traffic.

On behalf of the judicial power of Colombia, Mr Soarez Nino thanked the Honorary President Mr Voss, with whom, since 1992, a common action had been started consisting of a programme of assistance to the widows and the orphans of the colleagues who had been killed. He said that a solidarity fund for the victims belonging to the judicial power of Colombia had been created on the basis of the contributions from the German judges. Since its creation, this fund

permitted the organisation of six aid plans. They provided for: i) school assistance to the children of the killed colleagues; ii) assistance for the security of persons whose lives were menaced; iii) concrete aid to the survivors, under the form of material contribution to their needs or psychological support to the relatives of the victims.

The Colombian colleague requested an intervention of the IAJ, in order to declare that the difficulties faced by the Judicial power of Colombia was a problem of everybody. In the second place he asked that the IAJ take a stand against the menaces to the Judicial power coming from the Executive power, which was trying to suppress the Association of the judges through an administrative procedure. Mr Soarez Niño asked the assembly to declare that the struggle of the Colombian judicial power was the struggle of the judicial power of all the world.

Mr Rodriguez Arribas said that a document concerning this situation would be presented to the Council for its approval.

5. Reports of the Presidents of the Regional Groups (First Vice President Girard-Thuilier, Vice President Calandra, Vice President Bennour)

The First Vice President Mrs Girard-Thuilier summed up the activities of the European Association after the meeting of Amsterdam recalling the work of the meeting of Milan (Italy) in March 1997. She especially underlined the importance of the work that the EAJ was going to carry out through its working groups regarding different subjects of the community law of the European Union both in the civil domain (as for example the access to the justice of the consumers, the training of the judges on the matter of the law of the environment, the creation of the European executory title for the decisions of the European judges), and in the penal field (i.e. in the repression of crimes committed through electronics means, frauds against the financial interests of the European Union, in the protection of the minors and in the application of the Schengen Treaty).

The European Association had also continued its collaboration with the European Council taking part in several seminars, especially on the functioning of justice and associations of judges. The European Council had recently instituted a group of experts about ways to improve the effectiveness of the civil, penal and administrative justice. This is the topic examined this year by the first Study Commission of the IAJ. Mrs Girard Thuilier was waiting for the results of the work of this Commission, which would be presented to the Committee of experts of the Council of Europe. The EAJ also expressed its strong support to the colleagues of the Central and Eastern European Countries, who very often have difficult relationships with the Executive powers of their countries. Relating to the colleagues from the Eastern Countries, which are not yet members of the IAJ, the EAJ expressed its support for the creation of national associations of judges. Mrs. Girard-Thuilier mentioned the seminar which was held in Poland on this topic, to which President Rodriguez Arribas had already referred.

Mrs Girard-Thuilier said that recently the activity of the EAJ had increased significantly, both because of the admission of various new associations (especially those of Central and Eastern European Countries) and in order to cope with the requests coming from the European Union and the Council of Europe. Actually the representatives of the European Association had become the first technical experts of the European Commission in the judicial field. To deal with this increase of workload Mrs GirardThuilier said that she would like to propose, in agreement with the other European members of the Presidency Committee, the creation of a Committee to assist the President. The proposal would be presented and discussed during the next annual meeting of the EAJ in Ljubljana on 21-22 March 1998. In conclusion Mrs Girard-Thuilier mentioned with satisfaction the creation of the journal of the EAJ, "Eurojustitia", the first issue of

which had been recently published. She thanked the Slovenian colleague, Mrs Tratnik, who had the heavy task to produce this publication, the aim of which was not only to allow a better communication through the different associations of the European Regional Group, but also to present a better image of the AEJ to the European institutions.

Mr Calandra said that the meeting of the Ibero-American Regional Group was held in Brazil, from 14 to 16 March 1997 in Foz de Iguaçu. The meeting was financed by the Association of the judges of Parana'. During this meeting the Group examined the subjects of money laundering and of victimology. It also drew conclusions on the question of protection of the independence of judges and of the respect of the human rights. The following countries participated in the meeting: Argentina, Bolivia, Brazil, Chile, Costa Rica, Spain, Mexico, Panama, Paraguay, Peru, Portugal, Uruguay. Mr Calandra mentioned the availability of the Argentinian Association of judges to organise the next meeting of the Group in Buenos Aires in April 1998. He also said that the Brazilian association wanted to organise, in 1998, a Congress in Amazonia, to which all the associations of the IAJ would be invited, to discuss the questions relating the judicial power, the environmental law and communications law. He added that the Government of Macapa' would be ready to offer accommodation and transport inside Amazonia during the Congress.

Mr Calandra thanked Mr Rodriguez Arribas for his efforts directed to the creation of the Foundation "Justice in the World", and he also gave recognition for the contribution of all the delegates who had participated in this work. Then he mentioned the problem posed by the situation of the judicial power in Peru, in connection with the serious pressure exercised by the executive power. Regarding this subject, the Group was going to prepare a declaration that would be submitted to the assembly. The Group also wanted to create a Committee which would go to Lima in order to draw up a report to be presented to the Presidency Committee of the IAJ and then to be forwarded to the United Nations. He finally announced the realisation of a version in Portuguese of the conclusions of the First Study Commission since 1980.

Mr Bennour said that during its last meeting held in Amsterdam, on September 22, 1996, the African Group decided to hold its next meeting in Morocco in April 1997. An invitation of the "Hassanite Amicale" of the Morocco judges was addressed to the President of the Group and the Secretary of the IAJ was informed. The date initially fixed (for 3 and 4 April 1997) was put back to 10 and 11 April 1997 as proposed by the Moroccan colleagues. All the associations members of the group as well as observers from Niger, Egypt and Burkina Faso and Cameroon were invited to take part in the work of this meeting. Unfortunately, the meeting was cancelled at the last minute because of financial reasons. For lack of other candidatures the meeting was not held.

Towards the end of August, Mr Bennour received an invitation from the Association of Judges of the Ivory Coast to attend an international seminar on the topic "Legal theory and judicial practice in Africa". During this seminar, which was held in Abidjan on September 8 and 9, 1997, the participating judges, coming from Benin, Burkina Faso, Guinea, Mali, Niger, Senegal, Togo, Ivory Coast, could benefit from the contributions of some Canadian, American and French colleagues regarding the following themes: "American judicial organisation and guarantee of the independence of judges", "The Council of discipline of the judges of Canada", "The professional associations of the judges and the guarantee of their independence". They also had the opportunity to listen to the presentation of the IAJ (objectives, means of action, guarantee of independence) made by Mr Bennour. A speech had been made on behalf of the IAJ, in which Mr Bennour wished the seminar full success. The seminar equally examined the question of the independence of judges and how to exercise their profession in the best conditions. The

participants proposed a set of measures, the application of which they thought was necessary and urgent. They encouraged the creation of strong associations of judges and the reinforcement of those existing. In this context the participants in the seminar created the "African observatory for the independence of the judicial power", a body which will be responsible for defending and promoting the independence of the judiciary in Africa. Mr Sy, President of the Judges' Association of Senegal and President of the fourth Study Commission of the IAJ, was elected unanimously General Coordinator of the Observatory, the seat of which was located in Abidjan. Taking advantage of this occasion, Mr Bennour called a meeting of the members of the bureau of the African Group present in Abidjan, i. e. the members of the associations of the Ivory Coast and of the Senegal and the delegates from Niger, Cameroon, Burkina Faso, as observers. In accordance with the recommendations of the Presidency Committee to go to Cameroon in order to examine the candidature of the Amicale of the Cameroon Young Judges, Mr Bennour went to Douala, where he met the members of the "Amicale", the judicial authorities and the Minister of Justice. A detailed report about the application for membership of this association would be presented to the Central Council during its next meeting. Because of technical reasons (lack of direct connections between Tunis and the countries of the Western Africa), Mr Bennour was forced to pass in transit through Rabat, on his way to, and in Dakar, on his way back. Taking advantage from his itinerary, he met Mr Jarrari, General Secretary of the Hassanite Amicale of the Moroccan judges and member of the Academic Committee of the International Institute for study, research and training of the judges created by the Foundation "Justice in the World". During this meeting many questions were dealt with (relation of the Amicale with the IAJ, representations, and so on). He equally met the new Minister of Justice, who expressed his support for the action of the IAJ and his commitment to financially support the activities of the African Regional Group during his next meeting, which he hoped would be held in Rabat. Passing through Dakar, Mr Bennour met Mr N'Diaye, First President of the Constitutional Council of Senegal, who was appointed member of the Academic Committee of the Institute for study, research and training of the Foundation "Justice in the World". During his visits, Mr Bennour distributed the dossier, elaborated by the editorial staff of the Foundation, to all the members of the African Group, concerning the activities of the Presidency Committee and of the organs of the Foundation, since its creation in July 1997, as well as the draft of the Universal Statute of the judge. A final text would be presented by the Senegalese and Tunisian colleagues during the next meeting of the African Group. Relating to this meeting the colleagues of the Ivory Coast invited the group to hold a meeting in the month of April 1998 in Abidjan. This invitation was accepted.

The delegate of Peru illustrated briefly the situation of the judicial power in his country and mentioned the decision on this matter of the Iberoamerican Group. The President announced that a resolution, concerning Colombia and Peru would be submitted for the approval of the Central Council.

The session was closed at 1.00 p.m.

Session of 15 October

The session started at 2.30 p.m. The member associations were represented by the same delegates who were present at the first session, apart from the following changes: Belgium by Mrs. Prignon, Liechtenstein by Mr Neudorfer, Switzerland by Mr Gass and Mr Hug, United Kingdom by Lord Sutherland and Mr Campbell.

In opening the session the President announced the death of the colleague from Luxemburg, Mr Bosseler, President of the Association of judges of his country. He invited those present to observe half a minute of silence in the memory of their colleague; the invitation of the President was received by the assembly which rose.

6. Activities of the Foundation "Justice in the World":

- 6.1. Publication service;
- 6.2. International Institute for Studies, Research and Training of Judicial Power
- 6.3. International Award.

The President said that in its first year of existence the Foundation concentrated its efforts in order to create its internal structures. The first activity was the formation of the "Patronat" (Council of the Foundation). This is the supreme body of the Foundation, which is therefore subject to the supervision of a high official of the Spanish Ministry of Culture. It is composed of 21 members, appointed by the IAJ Presidency Committee. He added that no other member of the "Patronat" would be appointed without the authorisation of the Presidency Committee.

In February 1997 during its first meeting the "Patronat" appointed a Steering Committee, which is the executive body, composed of six or seven people, the majority of whom are judges, under the chairmanship of Mr Woratsch. Another member of the Steering Committee, Mr Bento Company, was appointed Director General of the Foundation for the implementation of the decisions of the Steering Committee for the administrative supervision. This Committee decided to undertake three types of activity.

The first is the creation of a publication service, under the direction of the colleague Reis Figueira, a member of the Steering Committee. The publication service was already preparing a revue of 60-70 pages to be published three or four times a year in order to supply information on the IAJ, on legal technical matters and on scientific studies. The first issue will be released in the month of January next year. The cover will reproduce the photograph of the person or the symbol of the institution to which the international prize "Justice in the World" will be awarded. A small group of university professors is in the process of being created with the task of preparing the first publication on the topic: "Comparative judicial organisation".

Another activity of the Steering Committee was the creation of the International Institute for Judicial Power, with the following three functions: to carry out studies (i.e. the publication of books), to make research (at the request of other institutions) and to train judges. Mr Calandra was appointed director of the Institute. The Academic Council of the Institute is directed by Mr Abravanel and composed of 30 members (judges, lawyers and university professors) from all IAJ member countries. The first meeting of this Council is scheduled for the Spring of 1998; the Spanish Ministry of Culture will supply the financial means for its organisation.

Then the President spoke about the international prize "Justice in the World", the jury of which is chaired by Mr Voss and composed of eminent personalities known throughout the world. The time limit for the nomination of candidates was established as 10 October 1997. At that time seven candidatures had been received. He added that the prize consisted of a statue in gold and silver, representing the emblem of the IAJ on the globe. All the expenses related to the prize will be born by the Spanish State. Every year the budget of the Kingdom of Spain will include an amount of 8,000,000 pesetas put at the disposal of the prize "Justice in the World". An official ceremony will be held in Madrid for the award of the prize. Finally he gave some information about the headquarters of the Foundation in Madrid.

Answering a question from the delegate from Sweden, Mr Rodriguez Arribas explained what are the financial sources of the Foundation and what are the systems of control on the part of the IAJ Presidency Committee, according to the terms of the statutes and of the documents distributed to all IAJ member associations, as well as to the terms of the decision taken by the IAJ Central Council in Amsterdam.

Mr Henning thanked the President for his efforts regarding the creation and the operation of the Foundation. He said that the award of the international prize would also constitute an important form of publicity for the IAJ.

Mr Reis Figueira requested all the delegates to give their contributions to the publications of the Foundation. Above all he requested the Presidents of the Study Commissions to send him all the documents, national reports, general reports and conclusions of the different commissions.

7. Applications for membership: Associations of judges from Bolivia, Cameroun, Lithuania, Niger, U.S.A.

Mr Calandra after mentioning that he had been appointed rapporteur on the application of Bolivia, illustrated the results of the enquiry carried out in that country and the contacts with the authorities and the representative of the judicial power. He explained the political situation and the condition of the judiciary in Bolivia. In conclusion, he proposed that this association should be admitted as an ordinary member of the IAJ. The proposal was unanimously approved. The representative of the Association of Bolivia thanked the assembly for its admission to the IAJ.

Mr. Bennour presented his report on the "Amicale" of the Judges of the Cameroun and, after describing the political situation and the judicial power of that country, concluded by proposing the admission of this association as extraordinary member. This proposal was unanimously approved. The representative of the Cameroun thanked the assembly for the admission of his country to the IAJ.

Mr. Markel presented his report on the Association of the judges of Lithuania and, after describing the political situation and the judicial power of that country, concluded by proposing the admission of this association to the IAJ as ordinary member. This proposal was approved unanimously. The representative of Lithuania thanked the assembly for the admission to the IAJ.

Mr. Bennour presented the report prepared by Mr. Sy on the Autonomous Union of the Judges of Nigeria (Saman) and, after describing the political situation and the judicial power of that country, concluded by proposing the admission of this association to the IAJ as an ordinary member. The proposal was approved unanimously. Mr. Bennour, thanked the assembly for the admission to the IAJ on behalf of the African Group and of the Saman (the representative of which had not been able to be present for financial reasons).

Ms. Mailhot presented a report on the Federal Judges Association of the United States, and after a description of the situation of this association, concluded by proposing its admission to IAJ as ordinary member. The proposal was approved unanimously. The representative of the Federal Judges Association of the United States thanked the assembly for the admission to the IAJ.

8. The draft universal judges' charter

The President informed the assembly of the draft universal status of the judge elaborated by the Presidency Committee. He said that the project would be the subject of debate during the next meeting of the Central Council in Porto. The final project, as proposed by the Presidency Committee, would be despatched to all the delegations in order to permit the associations to examine the subject and to express their opinions.

9. The Auditors' report on the financial statement

Following the report of the auditors responsible for the examination of the financial statement (Ms. Osorio Guzman and Mr. Daoudi) the assembly unanimously approved the statement relating to the year 1996-1997 and discharged the Secretary General for all responsibility in this respect.

10. The budget of the IAJ

Mr. Bonomo mentioned that he had already sent a document on the budget for 1998 to the associations. During this meeting a new document had been distributed, in which the figures were arranged in three columns. This document had just been approved by the Presidency Committee. The budget for 1998 was approved unanimously by the assembly.

11. Proposal for amendment to Art. 4 of the Rules of the IAJ presented by the Presidency Committee

Mr. Bonomo explained that the proposal of the Presidency Committee was intended to avoid the problems which had occurred previously with regard to the necessity of requesting from time to time an increase in the rates of contributions. The proposal is therefore to foresee a very moderate automatic percentage of increase, the amount of which would be proposed each year by the Presidency Committee. The percentage proposed by the Presidency Committee for 1998 was 2%.

After a lively debate, the assembly approved the proposal of the Presidency Committee with 20 votes in favour, 19 against and no abstentions. The modified text of Article 4 of the Rules of the IAJ is therefore the following: Art. 4 Contributions "The amount of the annual subscription shall be fixed by the Central Council which, for this purpose, shall divide the members into four categories. The Central Council will also establish, on the proposal of the Presidency Committee, the percentage of the automatic increase of the contributions."

This subscription must be paid to the General Secretariat before the 31st January of each year.

11-bis. Declaration of the Iberoamerican Regional Group

Mr. Calandra explained the contents of the declaration of support to the judges of Colombia and Peru which was elaborated by the Iberoamerican Regional Group. The declaration (see attachment) was approved by 39 votes in favour and one abstention.

The meeting closed at 18.00 hours.

Meeting of 16 October

The meeting started at 10.30 a.m. The member associations were represented by the same delegates who were present in the first meeting, with the exception of the following changes: Mrs Prignon for Belgium; Mr. Aldayz Duran for Bolivia; Mr. Doueu and Mrs Fatoumata for the Ivory Coast; Mr. Britt for the United States; Mr. Balcaldi for Uruguay; Mr. Huy and Mr. Gass for Switzerland.

In opening the meeting the President noted that the IAJ had reached a number of 52 members and he announced the creation of a fourth Regional Group, which would include the associations of Asia, North America and Oceania. With the formation of this Regional Group

any association would find a place within a group. The first meeting of this group, which will be chaired by Mrs Mailhot, will take place in Porto, during the next annual meeting of the IAJ.

The President reminded the delegates that the answers to the Study Commissions questionnaires must be sent to the Presidents of the Commissions and to the General Secretary at least three months before the date of the meeting.

12. Reports of the Presidents of the Study Commissions. The choice of the subject matter for the next year.

The Presidents of the four Study Commissions read the conclusions of the commissions on the following subjects: Managing case load (1st Study Commission); The law of evidence in civil procedure (2nd Study Commission); The role of the accused in the proof of guilt: confessions and the right of silence (3rd Study Commission); What are the rights of workers when losing their jobs (judicial competence and procedures)? (4th Study Commission) .

The Central Council approved the conclusions, as well as the following subjects proposed by the Presidents of the Study Commissions for 1998: Managing case load - second part (1st Study Commission); Appeal proceedings (2nd Study Commission); The role of the lay person in the criminal process (3rd Study Commission); Fundamental structures that govern labor relations (4th Study Commission) .

13. Meetings of the IAJ in the following years. Countries which wish to organize these meetings.

Mr. Reis Figueira announced that the Portuguese Association of Judges would be ready to host the Central Council and the Study Commissions in Porto from 6 to 10 September 1998. The meeting of the Presidency Committee would take place on Saturday, 5 September; On Sunday, 6 September, the meetings of the four regional groups would take place, and on Monday, 7 September, the opening session. Mr. Reis Figueira recommended the associations to limit participation to one accompanying person for each delegate, in view of the restricted hotel accommodation available.

The delegate of Taiwan announced that the Association of Judges of his country is ready to welcome the Central Council and the Study Commissions to Taiwan during the first half of the month of September 1999.

The delegate from Denmark announced that, for financial reasons, his association would not be able to organize the congress foreseen for the year 2000.

The delegate of Brazil announced that his association would be ready to organize the meeting for the year 2000 in Rio de Janeiro.

On behalf of the assembly the President warmly thanked the above mentioned associations for their invitations.

14. Miscellaneous.

Following a request from Mr Kiuru, the Secretary General and the President gave explanations regarding the circulation of information within IAJ . In reply to a question from the delegate of Norway, the President said that he will try in the future to obtain written reports on the associations applying for membership to IAJ. He will circulate these written reports before the meetings of the Central Council. Mr. Rodriguez Arribas gave explanations on the creation of the Foundation "Justice in the World" and mentioned that this foundation requested all the associations adhering to the IAJ to designate a judge responsible for relations with it. In conclusion, the Presidents of the different Regional Groups recalled the places and dates for the

next meetings (European Association of Judges: Ljubljana, 20-21 March 1998; Iberoamerican Regional Group: Buenos Aires, end of April 1998; African Regional Group; Abidjan, April 1998; Regional Group for Asia, North American and Oceania: Porto, 5 September 1998).

The President gave his warmest thanks to the Puerto Rican Association for its excellent hospitality and for the organizational efforts accomplished for the success of the meeting.

The session finished at 12.00.

The President
Ramon Rodriguez Arribas

The Secretary General
Massimo Bonomo

attachment:

- Declaration of support for the magistrates of Colombia and Peru elaborated by the Iberoamerican Group.