



MINUTES OF THE
MEETINGS OF THE CENTRAL COUNCIL – ROME AND ON ZOOM
Saturday 11 September 2021 (14.00-17.00, Rome time)
Sunday 12 September 2021 (15.00-17.00, Rome time)

Session of Saturday 11 September 2021

In attendance (by video link or in presence in Rome) were:

- the President, Mr. Tony Pagone;
- the First Vice-President, Mr. José Manuel Igreja Matos;
- the Vice-Presidents, Mr. Djamel Aidouni, Ms. Allyson Duncan, Mr. Đuro Sessa and Mr. Mikael Sjöberg;
- the Honorary Presidents, Mr. Christophe Régnard, Mr. Sidnei Beneti, Mr. José Maria Bento Company, Ms. Cristina Crespo, Mr. Antonio Mura, Mrs. Maja Tratnik, Mr. Gerhard Reissner and Mr. Günter Woratsch;
- the Secretary-General, Mr. Giacomo Oberto;
- the Deputy Secretaries-General, Mr. Lucio Aschettino, Mr. Galileo D'Agostino and Mr. Raffaele Gargiulo;
- the IAJ representative at the UN seat in New York, Ms. Louise Mailhot;
- the delegates of the following national associations:

ALGERIA	KAZAKHSTAN
ARGENTINA	LATVIA
ARMENIA	LIBERIA
AUSTRALIA	LIECHTENSTEIN
AUSTRIA	LUXEMBURG (PROXY TO FRANCE)
AZERBAIJAN	MALTA
BELGIUM (PROXY TO FRANCE)	MAURITANIA
BERMUDA	MOLDOVA
BOLIVIA	MONGOLIA
BOSNIA HERZEGOVINA (PROXY TO CROATIA)	MONTENEGRO
BRAZIL	MOROCCO
BULGARIA	(THE) NETHERLANDS
CANADA	NEW ZEALAND
CHILE	NORTH MACEDONIA
COLOMBIA	NORWAY
COSTA RICA	PANAMA
CROATIA	PARAGUAY
CYPRUS	PERU
CZECH REPUBLIC	PHILIPPINES (OBSERVER)
DEMOCRATIC REPUBLIC OF CONGO	POLAND
DENMARK	PORTUGAL
ECUADOR	REPUBLIC OF CHINA - TAIWAN
ESTONIA	ROMANIA
FINLAND	SERBIA
FRANCE	SLOVAKIA
GEORGIA	SLOVENIA
GERMANY	SOUTH AFRICA
GREECE	SPAIN

GUATEMALA	SWEDEN
GUINEA	SWITZERLAND
HUNGARY	TOGO
ICELAND	TUNISIA
IRELAND	TURKEY
ISRAEL	UKRAINE
ITALY	UNITED KINGDOM
IVORY COAST	URUGUAY
JAPAN	USA

In attendance were also representatives of the United Nations Office on Drugs and Crime, of the International Association of Clerks, of the Judges' Forum of the International Bar Association.

1. President's welcome;

President Pagone opened the meeting of the Central Council at 14.15, by welcoming all present, thanking them all for attending remotely this very special on-line meeting of the IAJ and expressing apologies for some unexpected technical difficulties in logging in. He informed the Assembly that some members of the Presidency Committee were able to travel to Rome and were therefore attending the meeting from the same hall which included himself, the Honorary President Mr. Régnard, the First Vice President Mr. Igreja Matos, the Vice-Presidents Mr. Sessa and Mr. Sjoberg, as well as all the members of the General Secretariat. The Vice-Presidents Mr. Aidouni and Ms. Duncan and the acting representative of the Ibero-American Group, Mr. Barone, were connected via videolink.

President Pagone then referred to the difficulties experienced at this time by judges, and especially women judges, in Afghanistan

2. Approval of the minutes of the meeting of Nur-Sultan;

President Pagone recalled that the minutes of the 2019 meeting in Nur Sultan were circulated in due time and noted that there were no objections by any member of the Assembly. There being no other objection the President accepted the minutes of the meeting held in Nur Sultan as unanimously approved.

3. Checking the votes and proxies;

The Secretary-General informed the attendees that at that moment there were representatives of 68 associations connected by video-link (with three proxies). Mr. Oberto stated that the quorum required by art. 7, par. 4, of the Constitution was therefore reached.

4. Election of two commissioners in attendance in Rome to certify the elections;

President Pagone explained that the Presidency Committee decided to put in place this measure because it was important for IAJ members to be confident that votes and the election be validly expressed and checked. Mr. Pagone informed the Assembly that there were three Commissioners physically present in Rome: Cristina Marzagalli (Italy), Jennifer Davies (Australia) and Diego Di Nardo (Italy). He asked whether there were any objections and having received none accepted the Commissioners as elected by acclamation. President Pagone thanked the Commissioners for their availability and for the time they devoted to the technical preparation to this task.

5. Candidatures for President, six Vice-Presidents, Secretary-General and Deputy Secretaries-General;

Secretary-General Oberto announced the candidatures received according to art. 3 of the Regulations under the Constitution. There was a candidature for the post of President of the IAJ, submitted by the First Vice-President José Igreja Matos, and six candidatures for the six available posts of Vice-President, submitted by (in alphabetical order) Mr. Walter Barone (Brazil), Ms. Allyson Duncan (USA), Ms. Marcelle Kouassi (Ivory Coast), Ms. Sabine Matejka (Austria), Mr.

Duro Sessa (Croatia) and Mr. Mikael Sjöberg (Denmark).

As to the General Secretariat, there were the candidatures of the present members, i.e. Mr. Giacomo Oberto as Secretary-General and Mr. Lucio Aschettino, Galileo D'Agostino and Raffaele Gargiulo as Deputy Secretaries-General.

6. Possible discussion on:

6.1. Report of the President of the I.A.J.;

President Pagone recalled that the General Secretariat circulated his written report in advance and, having received no comments and taking into consideration time constraints, did not add any other matters. He only urged delegates, to bear in mind the difficulty that all judges faced in the administration of justice in time of pandemic and urged delegates as well to do whatever they could in their national environment to assist those in difficulties because of the change of regime in Afghanistan.

6.2. Report of the Secretary-General;

Secretary-General Oberto referred also to his written report and only added his thanks to President Pagone for the kind words written in respect of the General Secretariat. He then added that a special page devoted to the documents for the meeting was available on the IAJ website. He added that for voting every association had received its own user-id and password and invited those delegates having lost the credentials to contact the Secretariat via chat in order to receive them again. He then invited the delegates to look at the chat to see and use the link that the Secretariat would share for each and any vote.

6.3. Reports of the Presidents of the Regional Groups;

President Pagone proposed that the Assembly accept the reports, which had been distributed in writing, without further discussion or debate. There were no objections.

7. Vote on the admission of the associations of Gabon and of Philippines:

Secretary-General Oberto asked the technician to move into a breakout room the delegates of the two applicant associations.

7.1 Presentation of the reports by Rapporteurs and possible discussion;

Secretary-General Oberto gave the floor to Ms. Celine Parisot, rapporteur on the application of the Association of Gabon, who summarized the report drafted with Mr. Isofa Nkanga and concluded with a favorable opinion on admission.

7.2 Vote on the candidature of Gabon;

Secretary-General Oberto opened the vote recalling that the specific link was sent via the zoom chat.

President Pagone announced upon certification by the certifiers that there were 68 Member Associations on line at that moment and eligible to vote and that there had been 60 votes in favor of the admission and 1 abstention. The Constitution required the acceptance by 2/3 of the votes cast and, even if not all the association had completed the voting procedure, the result was unequivocally in favor of the admission of the Gabonese Association. The President therefore officially closed the voting and formally declared the Gabonese Association member of the IAJ. Delegates greeted the Gabonese Association via zoom chat.

7.1 Presentation of the reports by Rapporteurs and possible discussion;

Secretary-General Oberto gave the floor to Mr. Tsogt Tsend, rapporteur on the application of the Association of Philippines, who summarized the report drafted with Ms. Sabine Matejka and concluded with a favorable opinion on admission.

7.3 Vote on the candidature of Philippines;

Secretary-General Oberto opened the vote recalling that the specific link was sent via the zoom chat.

President Pagone announced upon certification by the certifiers that there were 68 Member Associations on line at that moment and eligible to vote and that there had been 60 votes in favor of the admission and 2 contrary votes. Philippines delegates were re-admitted to the main conference call and President Pagone congratulated them upon joining the IAJ. President Anne

Beatrice Balmaceda thanked the rapporteurs and the IAJ Central Council and expressed the joy of her association for having been admitted in the IAJ. Delegates greeted the Philippine Association via zoom chat.

8. Election of the President;

President Pagone noted that there was only a candidate to the post of IAJ President and therefore declared that Mr. José Igreja Matos was the new President of the International Association of Judges. Delegates greeted him via zoom chat

Mr. Igreja Matos took on the chair of the session and thanked the Assembly for the election. He then delivered a speech, acknowledging the Portuguese Association, the members of the Presidency Committee and the Board of the European Association of Judges for the work done together. He addressed a special salutation to the judiciary of Costa Rica and in particular to the members of ACOJUD, who made enormous efforts to host the annual meeting and were prevented to do it because of the pandemic. He expressed the hope to meet soon in person again and reaffirmed the IAJ commitment for the independence of the judiciary. He dedicated his election to Afghan judges, facing an ordeal those very days because of the independent exercise of their function.

President Igreja Matos then designated the former President, Mr. Tony Pagone, as Honorary President of the IAJ and member of the Presidency Committee. The Assembly unanimously acclaimed the proposal. He then awarded Honorary President Pagone, on behalf of the entire International Association of Judges, with a silver plate acknowledging his guidance and leadership during the difficult times of the pandemic.

Honorary President Pagone thanked all for the touching gift.

President Igreja Matos then gave the floor to Honorary President Antonio Mura, who was attending the meeting in person in Rome. Mr. Mura congratulated him for the election and greeted all delegates who managed to participate in the meeting, even if in virtual form. This attitude shown the strength of the links creates with and thanks to the IAJ.

9. Presentations of candidates to the posts of Vice Presidents;

President Igreja Matos noted that there were six candidates for the six available posts of vice-president and, in order to save time for the next items in the agenda, moved on to point 10.

10. Election the 6 Vice Presidents;

President Igreja Matos recalled the names of the candidates (in alphabetical order): Mr. Walter Barone (IBA Group), Ms. Allyson Duncan (ANAO Group), Ms. Marcelle Kouassi (African Group), Ms. Sabine Matejka (EAJ), Mr. Đuro Sessa (EAJ) and Mr. Mikael Sjoberg (EAJ). He then proposed to elect them by acclamation. There were no objections and he formally stated all the candidates as Vice-Presidents of the International Association of Judges. Delegates greeted the them via zoom chat.

11. Election of First Vice-President;

President Igreja Matos noted that the only candidature to the post of First Vice-President was that of Mr. Sessa and proposed to elect him by acclamation. There were no objections and he formally stated Mr. Sessa as First Vice-President of the International Association of Judges.

Mr. Sessa took the floor to greet the Assembly and delivered a speech, recalling his long-standing commitment to the IAJ since 1998 when he first attended a meeting of the IAJ.

Delegates greeted him via zoom chat.

12. Election of Secretary-General and Deputy Secretaries-General;

President Igreja Matos called for an acclamation on the candidatures for the posts of Secretary-General and Deputy Secretaries-General. Mr. Oberto was re-elected by acclamation Secretary-General of the IAJ. Mr. D'Agostino, Mr. Gargiulo and Mr. Aschettino were unanimously re-elected Deputy Secretaries-General. Mr. Oberto thanked the Assembly for the confidence shown in him

and the team of the Secretariat.
Delegates greeted them via zoom chat.

13. Voting on the Ratification of the decisions adopted by the PC during the pandemic

13.1 Prolongation of the mandates of members of the Presidency Committee and of the Secretariat-General until further decision by the Central Council;

13.2 Reducing by half all membership fees related to 2020;

13.3 Freezing of the Monitoring procedure during the year 2020 and resuming it in 2021;

13.4 Postponing the 2021 IAJ annual meeting in Israel to 2022;

13.5 Postponing the 2022 IAJ annual meeting in Taiwan to 2023;

13.6 Issues related to membership/exclusion for not compliance with payment of IAJ fees.

President Igreja Matos recalled that, because of the pandemic, the Presidency Committee had to take some decisions to make the IAJ work anyway, which were within the competences of the Central Council. The Central Council was now called to ratify these decisions, with a single ballot paper grouping them all.

President Igreja Matos opened the vote recalling that the specific link was sent via the zoom chat. President Igreja Matos announced that there were 59 votes in favor and 1 abstention and that the legal quorum was reached to declare the approval by the Central Council of these decisions.

President Igreja Matos greeted the former IAJ Vice-President and President of the African Group Mr. Djamel Aidouni, who was attending the meeting via video-link. Mr. Aidouni greeted the Assembly, Honorary President Pagone and all the members of the Presidency Committee. He felicitated Mr. Igreja Matos for his election as President of the IAJ and Ms. Marcelle Kouassi for her election as IAJ Vice-President and President of the African Group.

President Igreja Matos closed the session for the IAJ at 17.00 Italian time and asked the European delegates to stay connected for a quick meeting of the European Association of Judges, devoted to the election of the EAJ President.

Session of Sunday, 12 September 2021

In attendance (by video link or in presence in Rome) were:

- the President, Mr. José Manuel Igreja Matos;
- the First Vice-President, Mr. Đuro Sessa;
- the Vice-Presidents, Mr. Walter Barone, Ms. Allyson Duncan, Ms. Marcelle Kouassi, Ms. Sabine Matejka and Mr. Mikael Sjöberg;
- the Honorary Presidents, Mr. Tony Pagone, Mr. Christophe Régnard, Mr. Gerhard Reissner and Mr. Günter Woratsch;
- the Secretary-General, Mr. Giacomo Oberto;
- the Deputy Secretaries-General, Mr. Lucio Aschettino, Mr. Galileo D'Agostino and Mr. Raffaele Gargiulo;
- the delegates of the following national associations:

ALGERIA	KAZAKHSTAN
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AZERBAIJAN	MALTA
BELGIUM (PROXY TO FRANCE)	MAURITANIA
BOLIVIA	MOLDOVA
BOSNIA HERZEGOVINA (PROXY TO CROATIA)	MONGOLIA
BRAZIL	MONTENEGRO

BULGARIA	MOROCCO
CANADA	(THE) NETHERLANDS
CHILE	NEW ZEALAND
COLOMBIA	NORTH MACEDONIA
COSTA RICA	NORWAY
CROATIA	PANAMA
CZECH REPUBLIC	PARAGUAY
DEMOCRATIC REPUBLIC OF CONGO	PERU
DENMARK	PHILIPPINES
ECUADOR	POLAND
ESTONIA	PORTUGAL
FINLAND	REPUBLIC OF CHINA - TAIWAN
FRANCE	ROMANIA
GEORGIA	SERBIA
GERMANY	SLOVAKIA
GREECE	SLOVENIA
GUATEMALA	SOUTH AFRICA
GUINEA	SPAIN
GUINEA BISSAU	SWEDEN
HUNGARY	SWITZERLAND
ICELAND	TOGO
IRELAND	TUNISIA
ISRAEL	TURKEY
ITALY	UKRAINE
IVORY COAST	UNITED KINGDOM
JAPAN	URUGUAY
	USA

President Igreja Matos started the meeting thanking delegates for their patience and their presence. Most of all, he thanked them for their attention to the terrible situation of Afghan women judges and for the efforts some of them were putting in place to offer a safe place of refuge to these judges.

14. Vote on the proposed amendment of Constitution and Regulations;

President Igreja Matos announced that there was the necessary quorum to proceed to this voting. Secretary-General Oberto took the floor to briefly illustrate the content of the proposed amendment and explain again the voting procedure, that will need two different ballot papers because of the different quorums requested to amend the Constitution and the Regulations.

Mr. Oberto then declared open the vote on the amendments to the Constitution.

President Igreja Matos announced that out of 60 associations logged in to vote, 59 were in favor of the amendment to the Constitution and 1 was against and therefore stated the amendments as approved.

President Igreja Matos then opened the vote on the amendments of the Regulations. President Igreja Matos announced that there were 58 votes in favor and therefore stated the amendments as approved.

President Igreja Matos thanked the commissioners for the important work done to ensure the regularity of the votes.

15. Financial issues:

15.1 Report of the auditors:

The auditors, Ms. Cristina Marzagalli and Ms. Jennifer Davies, had been appointed some days in advance by the Presidency Committee in order to allow them to check the financial documents via

a cloud put at their disposal by the General Secretariat.

Ms. Jennifer Davies and Mr. Marzagalli took the floor and informed the Assembly that they had noted the accuracy in the documentation. They reviewed all the documents and found that all expenses were justified by receipts and also the incomes. According to art. 5 of the Regulations, the auditors recommended the approval of the accounts. There were no objections by the Assembly.

15.2 Budget of the year 2021-2022;

The IAJ Treasurer, Mr. D'Agostino, took the floor to illustrate the Central Council the financial report, the balance sheet and the budget for next year, that had been distributed by email some days before and are enclosed to these minutes. He added that the names of the Associations that settled their contributions after the closing of the financial year and before the start of the Central Council will be listed in an addendum to the financial report.

16. Reports by the Presidents of the Study-Commissions. Selection of the new subjects; announcement of composition of the Boards of the Study Commissions;

President Igreja Matos highlighted the sad situation that prevented the Study Commissions from gathering in presence, acknowledging the special role of the Commissions for the vitality of the IAJ. The Study Commissions worked throughout the year, nevertheless, and managed also to renovate their boards.

President Igreja Matos called on the Presidents of the four Study Commissions to report on the conclusions of the Commissions on their respective subjects:

- 1st Study Commission - Mr. Walter Barone: "Access to justice during the Covid-19 pandemic";
- 2nd Study Commission - Mr. Thomas Cyr: "How data protection rules are impacting on civil litigation";
- 3rd Study Commission – Vice-President Ms. Lene Sigvard: "Communication in the criminal courtrooms";
- 4th Study Commission - Mrs. Julie Dutil: "Fraud and Corruption in the workplace: How does it affect employees?"

The Presidents proposed the subjects to be dealt with by the Study Commissions in 2022:

- 1st Study Commission: "Disciplinary proceedings and judicial independence";
- 2nd Study Commission: "How data protection rules are impacting on civil litigation";
- 3rd Study Commission: "Restrictions by the criminal law of the freedom of speech";
- 4th Study Commission: "What is the impact of the judicial workplace (including appointment, independence of decision making, governance, assignments, funding and other resources) on judicial independence?"

The Presidents announced the new compositions of the Boards:

- 1st Study Commission: Mrs. Marilyn Huff (USA) as President, Mr. Roland Kempfle (Germany) and Mr. Mohamed Khadraoui (Morocco) as Vice-Presidents, Ms. Graciela Gatti (Uruguay) as Secretary;
- 2nd Study Commission: Mr. John Edwards (Ireland) as President, Mrs. Kristine Eidsvik (Canada), Mrs. Mette Soegaard Vammen (Denmark) and Mrs. Flávia da Costa Viana (Brazil) as Vice-Presidents;
- 3rd Study Commission: Mrs. Lene Sigvardt (Denmark) and Mrs. Sally Cahill (UK) as co-President, Mr. Clayton Conlan (Canada) as Vice-President;
- 4th Study Commission: Mrs. Margaret McKeown (USA) as President, Mr. Josh Wilson (Australia), Mr. Paulo Dornelles (Brazil) and Mr. Dario Scaletta (Italy) as Vice-Presidents.

The Central Council approved the conclusions as well as the proposed topics for 2022.

17. I.A.J. and others (written reports):

17.1. I.A.J. and Hague Conference;

17.2. I.A.J.'s Representatives at the U.N.O.;

President Igreja Matos noted that, due to the particular circumstances of the present meeting, there would be no oral presentation of the reports unless there were comments from the Assembly.

18. Meetings of the IAJ in the years 2024 and following;

President Igreja Matos recalled that the Central Council approved, the day before, the postponement of the meeting in Israel and Taiwan respectively to 2022 and 2023.

He then gave the floor to Mr. Daniele Thulare, South Africa, who announced the intention of his association, JOASA, to host the 2024 annual meeting in Cape Town.

The Central Council unanimously approved the proposal.

19. Miscellanea.

President Igreja Matos answered to a request written in the chat to halve the annual contributions for 2021 explaining that the Presidency Committee already decided to have regular fees for 2021. He noted also that the expenses for this online meeting were huge and were covered all by the IAJ budget.

President Igreja Matos announced the screening of a video prepared by the Israeli Association and warned that the meeting would be closed at the end of it. The President of the Israeli Association, Mr. Yaron Levy, greeted the Central Council and invited all delegates to Tel Aviv next year.

The session ended at 16.30.